THE
International Record
OF
Charities and Correction
Edited by FREDERICK HOWARD WINES

VOL. II., NO. 1
MARCH, 1887

G. P. PUTNAM'S SONS, NEW YORK AND LONDON

PUBLISHED MONTHLY
10 CTS. PER NO. $1.00 PER YEAR

POLICE CONTROL IN CITIES.

BY CHARLES E. FELTON.

The following address was delivered by Mr. Charles E. Felton, Superintendent of the Chicago House of Correction, before the Society for the Promotion of Political Knowledge, on the evening of the 27th of January. It has not been published elsewhere than in our columns. The local allusions are to the city of Chicago, but they give life and spirit to the article ; therefore, we do not omit them.

The subject for consideration this evening—Police Control in Cities—is one to which I have given but little attention. In police matters, I am somewhat of a novice ; and being such, I may suggest to you more that is ideal than practical.

Sacred history tells us that when God created man—Adam—he gave him but the single command—"Of the tree of the knowledge of good and evil thou shalt not eat." But Adam obeyed not. When the Lord called unto him, "Where art thou ?" he answered, "I heard thy voice in the garden, and was afraid, because I was naked, and I hid myself." No detective agency was necessary to fasten guilt upon Adam. His conscience told him he had sinned, and he confessed his disobedience, and God punished him. Later, there were other commandments given—ten in number ; and later, man himself, in view of the inherent wickedness of his fellows, enacted so many new commands that our inventive genius can scarcely suggest an offence not already listed ; while conscience, so acute with Adam, is now so dormant that the most skilful detective aid is often called, that punishment may follow criminal acts.

It is as to crime and its prevention, and the detection and punishment of offenders, that we are principally concerned. However, this is but a part of the work of a police force ; hence, we must outline the whole work to be accomplished before we determine of what material an organization shall be composed, and how it shall be organized, managed, aided, and controlled, that it may accomplish the ends sought,—the good order of the city, and the protection of its people from the immoral and criminal acts of the vicious and criminal classes.

Our statutes define offences as felonies and misdemeanors. "A felony is an offence punishable with death, or by imprisonment in the penitentiary." "Every other offence is a misdemeanor." I give a partial list of effences as given in the criminal code of this State : Abduction, abortion, adulteration of food, adultery, arson, assault and battery, bigamy, bribery, conspiracy, criminal carelessness, cruelty, unlawfully employing children, carrying concealed weapons, or selling them to minors, keeping a disorderly house, or house of ill-fame, or a gambling-house, embezzlement, fraud, false pretence, forgery, counterfeiting, intimidation, kidnapping, maintaining a nuisance, malicious mischief, selling obscene books, perjury, prize fighting, rape, mayhem, larceny, burglary, robbery, poisoning, and murder. These offences are usually tried before a jury, upon indictment, in our criminal court ; and are punishable by fine, or by fine and imprisonment, or by imprisonment alone, or by death, according to the character of the offence. And we also have municipal ordinances, fixing penalties—more than three hundred in number—for a large variety of acts,—and embracing offences seemingly of the merest fancy, as "Thou shalt not keep on any window-sill any earthen flower-pot, . . . for the cultivation or retention of flowers, . . . unless it is securely fastened, so as to render it impossible for it to fall into the street, under a penalty of $10 ;" and "Thou shalt not lead or drive any horse or horses, or other animal, over, or upon, any of the bridges of the city of Chicago, at a rate faster than a walk,—under a penalty of $5 " ; and ordinances for the prevention of crime ; and also for the punishment of offenders under that omnibus term "disorderly conduct,"—which may mean almost every known offence, from standing upon a street corner doing nothing for a time exceptionally long to a policeman, up to larceny, burglary, or highway robbery,—offences which are often partially condoned by justices, for reason that the material witness does not wish to await the slow methods of the higher court, or from fear of criticism by grand juries for sending to them what they are pleased to call "petty offenders." The penalties imposed are fines, varying from $1 to $100 ; and when imprisonment follows, it is because the fine has not been paid.

As the old maxim, "What is everybody's business is nobody's" would otherwise be followed, we employ agents to make arrests, secure evidence, and aid in the conviction of enemies to the commonweal. Our agents are a police force. This force must be efficient, or we have little safety. That it is not thoroughly efficient in any large city is apparent. The daily list of crimes committed and offenders not punished show this.

One method of organizing a police is, first to elect a mayor, and he appoints a chief of police, or superintendent, and the chief theoretically, appoints all subordinate officers and men. The other system is the appointment or election of a board of commissioners, having such responsibilities and powers as the legislature of a State may confer upon it. This commission may be appointed by the mayor of the city, with the consent of the city council, or not; by the governor of the State, with the consent of a partisan senate, or not ; or its members may be elected by the electors of a city ; as suits the fancy, or best serves the political ends, of the dominant party in the legislature of the State. Under any system, a force may be made efficient ; but if it is objected that partisanship enters too largely under the prevailing system, in this city, what hope can be had of reform in this regard by a change to a system not better than it ? The injurious effect of political partisanship, if it exists, should be charged to administration. I do not like a divided responsibility. In police management, I have no faith in the maxim that "Two heads are better than one." The one head should be the mayor of the city—whom the charter of the city declares "may exercise, within the city limits, the powers conferred upon sheriffs, to suppress disorder, and keep the peace ;" also, that "he shall take care that the laws and ordinances are faithfully executed ;" also, may "call on every male inhabitant of the city over the age of eighteen years, to aid in enforcing the laws and ordinances ; and to call out the militia, to aid in suppressing riots and other disorderly conduct, or carrying into effect

any law or ordinance,—subject to the authority of the governor, as commander-in-chief of the militia." In case of palpable omission of duty, he may be indicted ; and when convicted, in addition to other penalty, the law says, "the court shall enter an order removing him from office." He alone is responsible for good order and good government ; and his efficiency should not be impaired by taking from him the power to do, or the responsibility of not doing. He need not be partisan, to the injury of good government. If he neglects his duty, the people can place the responsibility. With a commission, there is a divided responsibility, with as much, if not more, politics in it. The cry for change is generally but a political movement of the outs against the ins. Suppose a commission were appointed by the governor, or by the governor with the consent of a partisan senate,—would it be a non-partisan commission? Or, if the legislature should direct him to select as members one each, a republican, a democrat, and a trades-unionist,—will he not consult solely his own party's interest, and appoint only those who will do his bidding? or, worse, those who are recommended to him by their respective party organizations, or their managers? If the police force is to be a political force, do not divide the responsibility—let one party have sole possession. Otherwise, what would be the practice of such a commission? A majority—two—would determine all appointments. The republican and the trades-unionist would unite, and divide the so-called spoils ; or, equally bad, the democrat and the republican, or the labor-unionist and the democrat, would unite, with similar end in view ; or, worst of all, there would be perfect harmony in all things, by dividing all place and all patronage equally among the three parties,—first counting noses as to numbers already appointed ; next, party allegiance ; and last, height, weight, and physical ability. Fitness as to intellect, character, and ability for and adaptation to the work to be performed, would be of little concern, in the appointment of subordinates. If the commission system is to be adopted, why ask that the governor make the appointments? Let us have a little "home rule" in the matter, and give to our people, who are most interested, the power to elect such a board. Let each elector vote for one man only ; and declare as elected, the three persons having the largest number of votes. As parties are divided in this city, this would result in the election of one each—a republican, a labor-unionist, and a democrat. If political parties desire non-partisan commissioners, let them nominate such ; and their nomination would mean an election.

And as to administration? When the commission system existed in this city, it was a current scandal that a noted manipulator of men gave to an official—evidently for distribution—one thousand dollars weekly,—$52,000 a year—for favors permitted. The scandal may have been false ; but the seeming immunity to gamblers and bunko men, at that time, gave to it at least the appearance of truthfulness. We are all agreed, that political interests should have no part in police administration ; but by a change of system, partisanship is made the chief corner-stone.

It is always an easy thing to grumble at existing conditions ; but often very difficult to suggest changes that can be made effective. Bearing this in mind, we will first look at what our police force has to do.

Our population is estimated at 700,000. We have 907 public streets, having an aggregate length of 650 miles ; and 250 miles of alleys ; and in round numbers, 103,000 buildings in our city, and our area is very little less than 36 square miles, or 23,040 square acres in extent. Our police force numbers but 1,032 men. Take from this number its officers, clerks, desk-sergeants, lock-up keepers, bailiffs, and those detailed for signal service, and others not in active police duty, and we find 123 patrolmen who are assigned to post duty ; 84 in citizen's clothing as detectives and for special duty ; and 618 only remain for active patrol service. This force is divided—206 being assigned for day, and 412 for night service. What of the day force? Look at the principal street crossings in your business centre—policemen are there, preventing accident, or delay, by controlling vehicles and pedestrians in their busy movement from place to place ; and at bridges, and at places of amusements, and at fires, to maintain order and prevent crime ; and they must also patrol your principal streets, that disturbers may be arrested. And what of the night force—412 in number only? Let us see how large a ground surface a night patrolman must cover, and what interests he must protect, or the public will condemn him as being neglectful of his duty. He has 250 buildings to guard ; and if all streets are to be patrolled, his beat has $3\frac{1}{2}$ miles of street frontage, or $1\frac{3}{4}$ miles of street proper,—with an area of 56 square acres in extent. He must patrol these streets, examine door locks, and watch the movement of every passer-by at certain hours of the night, that we may enjoy a night's rest without danger. Nothing must escape his eye, as, often, it is the veriest straw that suggests the clew to the detection of criminals. He finds a door unlocked, or a window broken—has a crime been committed? or a man lying helpless on the sidewalk, or in the gutter, or in an alley-way—is he intoxicated? or is he an epileptic? or has he been injured by a fall, or by a highwayman? There is but a moment to determine in, and a patrol-wagon is called, to convey the person to the station, to the hospital, or to his home. A disturbance occurs in the street, or in a saloon. If order can be easily restored, and no great injury has been done, with a word of advice, or of warning, the patrolman moves on to his further duty ;—or, otherwise, he must make arrests. Late at night, he sees a man lurking in an alley, or walking at an unusual pace ; or a strange horse and wagon in the suburbs, during the wee sma' hours of morning. Is he certain that crime has not been committed, and that the guilty have not escaped with plunder? To stop him may not be prudent, or best ; but the occurrence should be noted, and the morning's report of the patrolman should be a perfect record of that and of every other strange occurrence upon his beat ; that, if crime has been committed, the fugitive may be traced and arrested. And what of the detective force? Look at the long list of offences as given ;—is it not necessary to have a variety of specialists for successful detective work? or can you combine all the requisites in a single type? A safe has been opened ; or a store has been robbed ; or a murder has been committed ; or a child has been abducted ; or a fire kindled? The work of the detective is to determine all the special features of the crime, and who the offenders were, that arrests may be made, and conviction follow.

It is not always easy to find a man when he is known ; and the task is an almost hopeless one, if you have but the knowledge that a crime has been committed. The problem is half solved when a competent detective has submitted his report. And the inquiry comes, "Is it only necessary to swear a man in as a policeman, and then assign him to detective work to secure successful results? Or, rather, is there any subordinate position in public or private business where greater adaptability to the work to be performed is necessary?" If a store has been robbed, the detective must determine whether from within the house or from without the thief is easiest found ;—then other facts in regular line. If a Charlie Ross has been abducted, the detective must possess the instincts and cunning of a sleuth-hound, that he may follow the trail, when found. Relying upon "pals" and "give-aways" is dangerous, as time is lost. If a murder has been committed, the means by which death was brought must first be solved. The faintest blood spot, or a scrap of paper, or the print of shoe, may give direction as to the guilty person. If by poison, the aid of chemist, that you may know the drug, and from whence it came. A fire occurs—was it arson? what the motive? and who the offender? A burglary—what traces left? The traces often secure detection and conviction. Public meetings are held, and inflammatory speeches are made, and riots occur, and

policemen are killed by dynamite fiends—from whom came the dynamite? who urged its use? Files of papers may tell us much of that; but still detective work is needed to make arrests and secure conviction.

We need go no further in our inquiry to determine that our force, if under the best of systems, and perfect management, is inadequate in numbers to the necessities of our city; hence the large number of private watchmen who are employed to guard our residences and business houses at night; and members of detective agencies, and men who are employed by humane and child-saving societies, and otherwise,—all employed by private interests, and not at public expense. If a store is robbed, the police department may be notified; but largely the sufferer relies upon private detective aid to repossess himself of the goods he lost; and as a frequent—almost sure—result, a compromise is made, and the thief goes free. Or, if the ways of officials are dark, and "jobs" are put up, and the public fleeced through fat contracts for public work; or permits to use our public highways by corporations are granted through corrupt means; the press may condemn a county board, or aldermen may be called "boodlers" by their nearest friends, still redress is seldom sought through the police force; and as "What is everybody's business is nobody's," the scandals continue, and our officials are neither vindicated if wronged, nor punished if guilty. If strikes or lock-outs occur, and wage-workers become turbulent, large details must be made, that peace may be preserved and property protected. As such details cannot always be made, detective agencies are employed, to furnish men. Our citizens should not be compelled to call upon outside aid to protect their persons or property, or to prevent riot or bloodshed, at private expense.

It is the current belief that any man who is of proper height and weight, and who has fair intelligence, and the physical ability to protect himself and to make arrests, is competent for the duties of a policeman. This is one conception. I would enlarge the requirements. A criminal is often as intelligent as is the shrewdest detective; and he is full of resources, and is as fleet of foot, and as strong in muscle. In a police force, height and weight are for dress parade. We need a preponderance of brain, and character, and conscience as well; and we need adaptability. Every policeman should be pure in morals. He should deem his calling to be a high one; and his ambition should be to obtain recognition for faithful service rendered to the public. When detailed as a detective, it does not follow that he must himself have been a criminal. He is a thousand times more useful if his garments have never been soiled; but he should acquire a thorough knowledge of the methods of criminals, and know of their haunts and their habits, and how to find them. If a detective is strong morally, and in all else the equal of an offender, he has an advantage—he is more than an equal. An offender's brain is somewhat palsied by the crimes he has committed, and from which he is trying to escape; but the detective is made stronger by his abhorence of crime, and the knowledge that he is an officer of justice, and laboring in a worthy cause. Criminals, when they know that officers are in pursuit, are often cowards, as they cannot run away from themselves—their consciences won't let them. A detective must be secretive, and full of genius. He must never lose his wits, and he must be tireless. He cannot measure his work under an eight-hour law. He may in one hour act as companion, and in another as shadow; and often his identity must not be known to others than those from whom he receives orders, or who have been assigned to aid him. At times, he must take great responsibility; and at others, hazards; hence, he must be cautious, and courageous, but never foolhardy. His address must be that of a gentleman, with ability to adapt himself to the companionship of the low and vicious without becoming compromised by the contact. One type of detective only is not sufficient. We should have a variety, —some for one class, and others for other classes of criminals. He who has read Wilkie Collins' noted tale of fiction, "The Moonstone," will remember with what untiring tenacity the Hindoos followed that gem until they recovered it; nor can he fail to note the contrast between the pompous and inefficient Superintendent Seegrave and the unassuming Sergeant Cuff, who loved his professional work, but still more his rose-bed. The faintest trace of missing paint—the merest smear upon the door-panel—to his mind was no trifle, when called as expert detective to solve the mystery of the missing gem. And in Victor Hugo's "Les Miserables," and in the works of Dickens and other noted novelists, we find detective characters of other types; and in the professional work of the lamented Allan Pinkerton, and of his sons now living, we are shown that neither Collins, nor Hugo, nor Dickens has exaggerated the possible exploits of expert detectives.

But how shall you prevent crime? If rendezvous for criminals exist, they should be broken up. If there are places where the young are being educated to vicious and criminal life, arrest and punish their keepers; and send the unfortunate or erring victims to their homes, or to institutions where they may be reclaimed. If members of the crime-class are found in gambling-houses or other disorderly places, lock them up for preventive purpose, as you know that the money they are spending came from crime committed, and when it is gone, they will again depredate upon property. When crime has been committed, remember that punishment, not compromise, is the antidote. With compromise treatment, relapse is sure to follow—there is no cure in it. The greatest deterrent, to-day, to police success, everywhere, is that more attention is given to the recovery of goods stolen than to the conviction of the thieves who stole them. Lately, a noted crook, who resided in Canada, dropped dead in the St. Charles Hotel, New Orleans. He had been travelling through the South, as leader of a gang of thieves. He was known to every gambling-house and by every prominent detective in the country, and had become rich from the fruits of crime; still it is said that he never served a day's imprisonment under sentence in his life. While in the South, his presence was known, and crimes were committed; but he was not arrested. This will continue until punishment becomes the chief purpose for which detectives are employed. Tell offenders that compromise is not possible hereafter, and remind them of the habitual criminal act; and urge the courts to enforce its provisions. That not being sufficient, urge the legislature to pass an act authorizing the perpetual imprisonment of those whose lives are at war with all that is pure, and useful, and right; or as insane men, confine them until you are sure that they can be, and will be, honest and industrious citizens. A few bad men would be restrained of liberty, but the thousands of honest men would be made more safe. And if gambling-houses admit minors, or admit men while returning to their homes with the earnings of their toil, they should be forever closed. It may not be possible, nor yet good policy, to stop all gambling in a city like this, and disorderly houses may be a part of a city's necessity, but if places exist where the young are being corrupted, or wives and children are robbed through the losses of working men, they should be broken up, and their owners imprisoned.

Recruiting agencies, like those that have been recently exposed, where young girls are induced to go to mining districts, there to pursue immoral life, should not be tolerated for an hour. It is not sufficient answer that the victims are girls who are inclined to vicious life, or have already fallen. The lives, even, of a thousand procurers would not compensate for the pain given to a mother's heart at a daughter's ruin. Punishment for such crime should be certain and summary; and the sensitiveness of parents and friends at possible abhorrent developments upon trial should not prevent it. A police force seldom knows of these places until the press of the city has given publicity to an outrage. You remember of a champion club-swinger, who, some years ago,

induced young school-girls to visit his rooms on the west side, in this city, and there accomplished their ruin. An outraged public, if memory serves me, destroyed the building he occupied ; but the fiend was permitted to leave our city unharmed, and doubtless, ere this, in other cities, has ruined, by his lust, scores of other thoughtless little ones. Judicious espionage over persons who insert suspicious advertisements in newspapers might often be preventive of such crimes ; but when they have been committed, the guilty fiend should not escape punishment.

As a rule, our police force is a good force. It has proved itself, in emergencies, worthy of high commendation. The department has the best signal and patrol-wagon service system, of any city in this country ; and it has a fearless patrol force and many excellent detectives. What it seems most to lack is an increase in numbers. I know little as to its internal or office methods. The successful conduct of any business, however, especially police business, depends largely upon its office department. Ordinarily, if the head —the superintendent—is able, and the office department is well-conducted, the body is healthy and efficient. If not, the fact is evidenced by a disordered condition of the public peace. Every city should have a record of every known member of the criminal class, with likenesses of him in every phase of disguise, that when he enters a city he may be recognized, and registered, and shadowed, and detected and punished if he commits crime. Thieves, especially, are nomadic. They are here to-day, and in the East, West, or South, tomorrow—ready at any moment to commit crime. A registry being made of one's presence would not only furnish information to each detective of a city, but it might form a connecting link as evidence as to crime committed elsewhere. A more systematic and complete system of exchange of information, and of rendering aid, between cities than now prevails is needed. An occasional exchange of members of one force with others for special work, or to give them a better knowledge of the criminals of other places, would also be an aid. Newspaper items as to crimes committed, which may be an aid in the future, should be clipped, and preserved in scrap-books, or otherwise, and so indexed that every important fact may be readily obtained, in case information is needed. This is office work ; and it is necessary that it be thoroughly done. The discipline over a force should be rigid. When on duty, require from patrolmen that they avoid even the appearance of evil. Do not believe all that is said against them ; but rather criticise only when you know one has erred ; and laud when praise is due. Remember, policemen are always under cross-fire. They must often act without a moment's delay, and may make errors ; but who would not ? If too zealous, they are blamed ; or if too cautious. A man has been assaulted in the street, or a house has been robbed, and no arrest has been made,—the patrolman is censured, though his beat was a mile long. Riotous hoodlums disturb the peace, and in endeavoring to make arrests the policeman is assaulted, possibly with deadly intent. If he uses a weapon in return, his action is unfavorably criticised by the press. If he does not make the arrest, he is declared to be inefficient, and his dismissal is urged. And if a mysterious murder occurs, and the criminal escapes, we blame our detective force for not finding him, forgetting that there is a large number of crimes committed every day which require detective work ; and that we have few special detectives on our force ; and that a single mysterious case may require months of patient and uninterrupted toil to secure results.

But to secure best results, it is material that a force be composed of honest, fearless, and capable men ; and that it be well officered ; and that its office work, especially, be well done. Dishonest, defective, and inefficient men should give place to others who are qualified. When vacancies occur or an increase is authorized, appointments should be made with sole view to the improvement of such portion of the force as is weak. If more detectives are needed, select men who will develop well in that field. A man should not only be competent, but he should have an ambition in his work, or he will not do it well. He should have the aid, also, of all officials who have the custody of our prisoners before their trial ; and he should merit the confidence of our courts as well. When he has arrested a criminal, it is discouraging to see that criminal escape conviction through manipulations made in a jail or elsewhere, while awaiting trial ; or through lack of credence in his statement of facts, by a court. Most of all, never remove a competent and successful officer or man ; but say to both that tenure of office depends solely upon their success in protecting our people from the illegal acts of the vicious and the criminal classes.

HOSPITALS: THE SICK POOR, AND ALL ENGLAND.

To the Editor of The International Record :

Sir : The rapid growth of the population of Great Britain in recent years has caused a corresponding increase in the number and variety of those cases of sickness among the poor which can be adequately treated only in hospitals. Along with the increase of these cases there has been a similar growth in the hospital provision for meeting their necessities. But whilst the sick abound and the hospitals are numerous,there is often experienced very great difficulty in finding out the right hospital for the right patient at the right time. Hence arises much unnecessary suffering, with loss of time and money, and sometimes even the loss of life itself. These circumstances have for a long time forced themselves upon hospital managers, but there has appeared to be no general method applicable to all cases, which would at once and entirely put an end to the difficulties.

The Hospitals Association was formed some years ago with the view of becoming a central meeting-ground for all hospitals on the one hand, and for all on the other hand who might desire to come into relationship with hospitals, either as patients or in any other capacity. To a considerable extent these objects have been gained, and now, by means of the Association it is possible to place a given patient in a given hospital with little or no loss of time, and also to obtain any kind of knowledge which may be desired concerning almost every hospital in the United Kingdom or in the world. The resources of the Association have recently received such a degree of development, that the objects which formerly were but partially and incompletely carried out, will in a short time be perfectly accomplished, and all these resources will then be placed at the disposal of every member of the Association, and every institution which may now or hereafter be affiliated with it.

It is desired to bring every parish or congregation, and even the remotest villages and hamlets, by AFFILIATION, into immediate and permanent relationship with the hospital system of the United Kingdom, and with the Hospitals Association as the centre of the system. By this means every person needing the peculiar treatment which hospitals alone can give will be enabled to obtain, if eligible, without inconvenience or loss of time, the highest degree of medical and surgical skill which the science of the time affords. If the efforts of the Association be adequately seconded, it is hoped to establish by its agency a fully-equipped ambulance system for each large centre of population ; and, by arrangements made with the various railway companies, to secure the cheap and easy removal to the nearest hospital of persons living in remote and outlying districts. In order to the complete carrying out of these objects, the Association has prepared a scheme which is hereby submitted to the parish clergy and the ministers of congregations, and also to all other persons who may be interested in the care and cure of the sick poor. The scheme is as follows :

I. Each parish, congregation, village, or hamlet is invited, through its clergyman, minister, or other representative, to affiliate itself to The Hospitals Association by the formation of a "Hospital Society." In

either case the annual* subscription will be one guinea, and that will secure all the advantages detailed above, together with the weekly publication, *The Hospital*. It is hoped that wherever it is practicable, a "Hospital Society" will be formed, consisting of the clergyman or minister as the president, the local doctor or doctors, and two honorary secretaries, one of whom should be a lady. There can be little doubt that the poorer the parish or congregation, the greater would be the advantages derived from affiliation. With the view of bringing these proposals more fully under the attention of those actively interested in the welfare of the sick poor, a congress will be held in May next, under the presidency of Sir Andrew Clark, Bart., M.D., to explain, consider, and finally consolidate the work now begun.

II. The Hospitals Association will be an IMMEDIATE AID SOCIETY and its central office will be in London. The Secretary will give prompt assistance in the placing of difficult cases in those hospitals which may be most suitable for them. Any clergyman or minister of an affiliated congregation having difficult cases for hospital treatment, instead of making applications in all directions, and often fruitlessly, will at once communicate with the Secretary at the central office, and his difficulty will be at an end.

III. The office will be a *Bureau of Information* and a *centre of reference*. It will give all possible facilities for gaining the completest knowledge of any and every hospital in the kingdom, and of hospital affairs generally. It will arrange for lectures and illustrations of hospital life for the winter months. It will provide trained and eminent lecturers. It will give aid and advice in the management of public meetings, and co-operate in obtaining men of standing and ability as speakers on specially important occasions.

IV. The new journal of the Association, *The Hospital*, which is published weekly, will be sent post free every week to each subscribing member of the Association, affiliated parish, or congregation. *The Hospital* will contain the latest, most accurate, and most interesting information concerning hospitals and kindred charities, as well as instructive articles on medical and sanitary questions and the related topics.

V. Facilities will be offered whereby members of the Association, and of affiliated societies, may from time to time visit and inspect the general and special hospitals and other institutions of a like kind, thereby obtaining at first hand whatever knowledge of the subject they may wish or require.

Such is the plan which the Hospitals Association commends to clergymen, ministers of religion generally, and to all other persons who are concerned in the well-being of the sick poor. It is conceived in the interests of the poor, and of those who have the care of them. It is easy to see, however, that not only will it be of inestimable service to the sick, but also that the hospitals and their work will thus be brought into immediate practical relation with every parish in the kingdom and will soon become known, valued, and supported, as they urgently need and justly deserve.

There can be no question that if the scheme becomes popular, as it is hoped, much unnecessary suffering will be prevented, much waste of time avoided, and much hostile criticism of hospitals, their work, and their methods, brought to an end.

Applications for membership, or for further information, should be made to the Secretary, Hospitals Association, Norfolk House, Norfolk Street, Strand, London, W. C.

I am, etc.,
HENRY C. BURDETT.

Norfolk House, Norfolk Street,
Strand, London, W. C.

* In the case of individuals, a single payment of ten guineas constitutes a LIFE MEMBER.

EARLY PENAL LAWS.

All known collections of ancient law are characterized by a feature which broadly distinguishes them from matured systems of jurisprudence. The proportion of civil to criminal law is very different in the two cases. The elder the system, the fuller and more minute the penal legislation. The poverty of civil law is due to the plan on which the family is organized. There is no corresponding limitation in reference to penal law, and it is also probable that the infancy of nations is the period of ungoverned violence.

The early penal law is not a true criminal law. In all matured systems, a sharp distinction is drawn between crimes and wrongs. In the one, the act is regarded with reference to the State; in the other, with reference to the individual injured. In ancient law, the act was only regarded with reference to the individual. He proceeds by a civil action, and recovers compensation in the shape of money. In the Twelve Tables, the chief wrong is theft. These offences, which are now termed crimes, were treated exclusively as torts or wrongs. The same fact is perceived in the consolidated laws of the Germanic tribes. In the infancy of jurisprudence, the citizen depends for protection against violence or fraud, not on the law of crime, but on the law of tort. It should also be noticed that sins are known to primitive societies. There were in the Athenian and Roman States laws punishing sins as well as torts. The ordinances against the former were based on the conception of an offence against God; the provisions against the latter, on the conception of an offence against one's neighbor. The idea of an offence against a State did not at first produce a true criminal jurisprudence.

The conception of a wrong done to the State, however, was not wanting. The State was thought to suffer a personal injury, and avenged itself on the criminal by a single act. Every offence was punished by special act of the legislative power. The trial of an offender was wholly irregular. The proceeding was the same in form as the enactment of an ordinary statute. After regular criminal procedure came into vogue, the people still retained the power of punishing offences by a special law.

It may be urged that the State has from the earliest period compelled the wrong-doer to compound for his wrong, and that this interference must have depended on the fact that it was injured. The State, however, only interfered in the character of arbitrator between two litigants, and received compensation for its trouble and loss of time. This shown by the sums paid in the progress of an action in the Roman law (sacramenta), and by the subjects described by Homer on the shield of Achilles. It is still further shown by the fact that the court, in awarding damages, took as its guide the measure of vengeance likely to be exacted by the aggrieved person, under all the circumstances. This is the explanation of the different penalties imposed on offenders caught in the act of committing crime, and on those detected after considerable delay. The men of ancient times had none of the scruples of modern judges in discriminating between the degrees of criminality which belong to offences falling within the same description. They looked only at the impulses of the injured person, and followed the rise and fall of his passions.

The earliest criminal tribunals were mere committees of the legislature. The popular assembly delegated its functions to a commission quite analogous to the committee of a modern legislative body, except that it did not report to the legislatures, but itself rendered a final decision. Some of these commissions resembled modern standing committees, and were appointed regularly every year. There was no true criminal law at Rome, until B.C. 149. A Calpurnian law then provided a permanent commission for the trial of offences under that act, and judges were selected from particular classes, and renewed in conformity with definite rules. This was a regular criminal judicature. These commissions were always regarded as mere committees of the popular assembly. Two important consequences followed. One was that the legislature could always try the case as a special offence, and the other that the punishment of death could not be inflicted by the commission, because it could have no greater powers than the legislative body whence it emanated, which could not itself inflict death.

Two additional peculiarities should be mentioned: the great number of Roman tribunals, and the capricious classification of crime. Both of these are explained by the historical account already given. As each commission for the trial of crime had its origin in a distinct statute, which was passed to meet an existing emergency, the commissions were naturally very numerous, and without any connection. It became very difficult to draw any exact lines between the different commissions. This result was not only inconvenient but oppressive, for if there was doubt as to the particular statute under which a crime should be ranged, an alleged criminal could be indicted before several commissions, so that if he was acquitted by one, he could be condemned by another. Though this anomaly was abolished by the emperors, yet the classification of crimes remained remarkably capricious. The only principle on which the acts were associated, was that they had been made criminal offences at the same time, and by the same statute. Thus perjury was classed with cutting, wounding, and poisoning, because the law of Sylla had given jurisdiction over these forms of crime to the same commission. Finally, criminal law was extended by a new description of offences called crimina extraordinaria. These were offences originally treated merely as wrongs. In the progress of social ideas, the injured party was allowed to pursue them as crimes; adopting a mode of redress differing from the ordinary procedure. The theory and practice of criminal justice under the empire, has had a powerful effect on modern society. There was at first committed to the senate an extensive criminal jurisdiction; it was ultimately transferred to magistrates nominated by the emperor, with an appeal to the imperial privy council. From this source was derived the doctrine, familiar to modern peoples, that the sovereign is the fountain of all justice, and the depositary of all grace. This theory was the fruit of the centralization of the empire. It saved modern society from passing through the series of changes illustrated by the history of the commissions (quæstiones). The development of criminal law was hastened by two causes: the memory of the Roman Empire, and the influence of the Church. Two assumptions were contended for by the Church: one that each feudal ruler might be assimilated to the Roman magistrates spoken of by St. Paul, and the other that the offences which he was to chastise, were those selected in the Mosaic commandments. Thus heresy and perjury were ecclesiastical offences, and the Church only admitted the coöperation of the secular arm; while murder and robbery were under the jurisdiction of civil rulers, not by the accident of their position, but as an express ordinance of God.—Maine's "Ancient Law."

There was a man—some thought him mad;—
The more he gave, the more he had.

Once gain the mountain top, and thou art free;
Till then, who rest, presume; who turn to look, are lost.
—KEBLE.

INSANITY IN AMERICA.—DR. EARLE, DR. GRAY, AND DR. HOWE.

BY FRANK B. SANBORN.

The recent death of Dr. Gray, of the New York State Asylum at Utica (where he had been longer in continuous service than any hospital superintendent in America except the late Dr. Kirkbride), gives occasion for those who have long been surveying the field, to remark upon the changes of opinion and of practice which have been witnessed in this country since 1854, when Dr. Gray succeeded Dr. Brigham and Dr. Benedict in their important position. Dr. Pliny Earle (who, fortunately, still lives, and has added to the list of his services the recent publication of an important work on the "Curability of the Insane") was a contemporary of Dr. Brigham and Dr. Kirkbride, and it is nearly fifty years since he began his labors as an alienist. Dr. Samuel G. Howe, a few years older than Dr. Earle, and one of the chief promoters in Massachusetts of a better treatment of the insane, died ten years earlier than Dr. Gray and Dr. Kirkbride; but not until he had done much to change the current of opinion in regard to the treatment of insanity throughout the country.

Naturally enough, the first superintendents of asylums for the insane in America were ambitious to prove that their establishments could be hospitals rather than asylums, and that insanity was a much more curable malady than experience has shown to be the fact. Dr. Howe, as well as his friend, Dr. Jarvis, fell for a while into this error; which indeed, as Dr. Earle has shown in his entertaining volume, was almost universally accepted as true, until within fifteen years past. Dr. Gray, like Dr. Kirkbride, though not with the same pertinacity, seems to have cherished this optimistic error until near the close of his life; and he even went so far as to deny the influence of heredity upon insanity, which, if admitted, must inevitably tend to diminish cures or permanent recoveries. Dr. Howe, on the other hand, strongly insisted on the force of hereditary influences in all diseases which incapacitate the sufferer for an active participation in ordinary life; and sought to diminish the weight of heredity by preventing intermarriages between blood relatives, blind persons, deaf-mutes, or mentally unsound persons; and by distributing the defective persons last mentioned amongst the community as widely as possible, so as to prevent the formation of distinct classes which would promote undesirable intermarriage. Led by the stress of this argument from one application of it to another, he early insisted that insane persons should not be herded together in great asylums, but should be treated in small establishments, and then, so far as is practicable, sent forth to live in the general community as inmates of an ordinary family. The result of his teaching in this direction appears in the recent introduction into Massachusetts of the Scotch system for maintaining the chronic insane in private dwellings; and in the separation, which Dr. Howe generally advocated, of the recent and the chronic insane to a greater extent than prevailed in his lifetime.

Dr. Gray, in this as in other matters, did not hold one constant opinion through life; but at one time seemed to favor the reception of all classes of the insane in a single asylum; at another, the separation of the recent from the chronic (which has long been done, rudely, by statute in the State of New York); and finally, the blending of these classes upon some new principle of association, which I could not fully understand. With great abilities and that energy of character which would have made him anywhere a leader among men, Dr. Gray (with whom I first became acquainted in 1865) seemed to me to act upon expediency rather than by fixed principles of medical, economic, or social science. It was not that he lacked courage, for no man was bolder, even to hardihood, in the maintenance of the opinion he happened to hold at the time; but he seemed to be unwilling, as indeed, most persons are, to stand with a minority in favor of any opinion; and he pressed forward into popularity, for which nature plainly designed him. He was the most agreeable and sympathetic of men, and wielded the great influence which he acquired, if not always wisely or generously, yet, on the whole, for the good of mankind and the advancement of general knowledge in the specialty to which he devoted, and indeed sacrificed, his vigorous life.

There could scarcely be a greater contrast between two intellects, both of a high order, than between those of Dr. Gray and Dr. Earle. The latter, cautious, patient, plodding, slow to draw even the inevitable inferences from his own observations, but never willing to disown them, has accumulated, in his long and most useful career, a mass of convictions, fortified by facts, which have proved irresistible in the one great controversy that his peaceable nature allowed him to undertake. I suppose no qualified person can read his book on the "Curability of the Insane" without perceiving that he has won his case, and that it will not be possible hereafter, as it was almost universal before Dr. Earle began to write, a dozen years ago, to hold that insanity is a disease easily and generally curable, provided it is early treated in a hospital. Opinions will differ as to the exact percentage of curability, in each of those special forms of insanity which are now recognized as so numerous—one form being almost never curable, while another may show 60 or 70 per cent. of recoveries. But of insanity in general, at least in America, it is not likely to be said hereafter that it is a disease easily yielding to treatment, like an ordinary fever. Dr. Earle's conclusions might be more positively stated; and it is to be hoped that he will complete his life-work by a brief treatise or manual on the classification and special peculiarities of those forms of insanity which he has been studying for nearly 50 years. This would enable his countrymen to draw from his experience lessons of great utility on the whole subject of the insane, their accumulation, their restraint, and their treatment.

One important fact, hitherto inexplicable, is fully accounted for by Dr. Earle's investigations concerning curability. I mean the constant accumulation of the insane in every part of our country from which accurate statistics are accessible. This accumulation has gone on so rapidly in the older States, that the proportion of the insane to the sane population has nearly doubled within the last generation. Several conflicting theories have prevailed, in various places and times, to account for this accumulation; but it is now readily seen that, if no more than a third part of the insane persons who are attacked in a given year recover, and only a third part die within the year, there must be an accumulation to the extent of nearly one third of the number of cases annually occurring. Some portion of this accumulation in any one State may be cancelled by removals to some other State or to Europe; but, without this, there must continue to be a steady increase in the number of the insane population in any State and in the whole country. This is the uniformly acting cause of that formidable increase of the insane, which is sometimes ascribed (and in part justly) to a stricter observation and wider classification of insanity. Viewed in this light, Dr. Earle's demonstration of the incurability of insanity in three fifths of the cases becomes a practical guide to States and smaller communities in the care of their insane dependents. Less money will henceforth need to be spent in building costly hospitals for patients who cannot be cured, and a simpler style of asylum building will come in fashion for the comfortable shelter of the chronic insane, who make up five sixths of the mass of existing insanity in every American State.

In addition to the foregoing article, Mr. Sanborn (who is the Inspector of Charities for the State of Massachusetts, and virtually a State Commissioner in Lunacy, though not a physician,) writes us:

I have prepared a table for those expert in insanity, which I will send you, as being one of them.

First hospital admissions, readmissions, etc., in Massachusetts, 1868–1886 (*year ending September 30th*).

Year.	Whole number admitted.	First admissions.	Discharged without recovery.	Readmissions.
1868	1,021	616	370	405
1869	1,142	695	563	447
1870	1,324	813	605	511
1871	1,344	854	695	490
1872	1,372	784	737	588
1873	1,282	739	747	543
1874	1,321	828	774	493
1875	1,255	838	623	417
1876	1,350	852	681	498
1877	1,310	884	586	426
1878	1,754	959	969	795
1879	1,297	849	577	448
1880	1,388	900	632	488
1881	1,445	949	722	496
1882	1,605	1,005	755	600
1883	1,633	1,101	736	532
1884	1,634	1,093	837	541
1885	1,642	1,100	755	518
1886	1,845	1,120	1,017	677
Total	26,964	16,979	13,381	9,913

You will observe that the first admissions in this table have increased (in 19 years) at a larger percentage than the whole number admitted or the readmissions; while those discharged without recovery have also increased faster than the readmissions. By taking an average of the first two years and comparing it with an average of the last two, it appears that the whole number admitted annually increased, in 19 years, 61 per cent., while the first admissions increased 69 per cent., and the readmissions increased 42 per cent. The State population in the mean time increased about 45 per cent., so that the gain in readmissions was really less than the gain in population, while the gain in first admissions was nearly double the gain in readmissions. During the same period the discharges without recovery increased 90 per cent., but here it must be remarked that about 3,500 of these discharges were of persons transferred from one establishment to another; about 1,100 were discharged to go to almshouses, etc.; and some 1,900 were removed from the State by the State board, leaving an aggregate of only about 6,700, who were discharged unrecovered into the general community. Making similar reductions in the readmissions, and deducting also 500 persons classed as readmissions who were never in any *Massachusetts* asylum before, the readmissions from the general community would become about 5,900, or an average of 311 in each of the nineteen years, while the annual average of first admissions would be 893.

All this bears, as you will perceive, on the important question of whether *recent* insanity is increasing. Contrary to Dr. Tuke's opinion, it seems to be increasing in Massachusetts. The years in my table, when first admissions seem to increase very fast (as from 1869–1871, or from 1876–1878), might be supposed to depend somewhat on the amount of immigration into Massachusetts, and this, I think, is true. But this does not wholly account for it; the opening of two new hospitals in the year numbered 1878 probably accounts for a part of the increase. First admissions are not necessarily cases of recent insanity, but they seem to be what Dr. Tuke has used.

Concord, Massachusetts, January 21st.

Alcohol is a poison, just as much as opium, arsenic, or strychnia; and the only reason why it is not universally condemned is that it is universally drunk in moderation. Alcohol, even when taken in moderation daily, will impair the efficiency of the man's brain, sooner or later, in seventy-five men out of every hundred.—Dr. E. C. MANN.

Fools were made, that wise men may take care of them.—RUSKIN.

LEGISLATIVE APPROPRIATIONS.

The system of support of State charitable institutions differs in different States. In some States they are wholly maintained from the State treasury. In others a charge is made against counties or towns for the maintenance of inmates sent by them. Sometimes a mixed system is followed: there are State beneficiaries and beneficiaries of the towns or counties; or the State pays a part of the expense, and they pay a part. Some States permit private pupils or patients; others forbid their reception in State institutions.

The appropriations made from the State treasury are made, in some instances, in a lump sum; in others, they are per capita, by the week or month.

Some States make "permanent" appropriations, which do not require to be renewed. Others are obliged, by their constitutions, to make fresh appropriations at every session of the legislature.

The aggregate amount appropriated by many States for benevolent purposes is very large. There are States in which it is increased by appropriations in aid of private charities. The constitutions of other States prohibit the diversion of public funds from the agencies which are owned and controlled by the State itself.

The passage of the appropriation bills through the legislatures is ordinarily a troublesome and vexatious business. Very few of the members have any personal knowledge of the institutions and their actual needs. They are liable to be imposed upon by interested statements and adroit appeals to their sympathies. To some extent they are at the mercy of combinations formed between the representatives of the districts in which institutions are situated. In seeking to avoid this danger, they are apt to be unduly captious and niggardly. Every item of an appropriation bill is likely to be assailed by the opposition to the party in power for the time being, and the debate consequently degenerates, at times, into a political squabble. Every legislature needs to be wisely and carefully piloted through the narrow strait which divides parsimony from extravagance. It should inform itself, by every means at its command, of the actual situation, for which purpose not only hearings in committee are essential, but personal visitation of the institutions is eminently desirable and proper. A State Board of Charities, if itself thoroughly informed, can be of great service to a legislature as an aid to discrimination between the requests for appropriations which are imperative and those which are merely desirable, or in fact frivolous and injudicious.

The passage of the appropriation bills is usually the last act of the session, and is followed by the immediate dissolution of the General Assembly.

Nothing is more important than the adjustment of the expenditures of a State government to its income. The aggregate amount of the appropriations must not be allowed to exceed the amount of the tax-levy authorized by law; and they must be rigorously cut down until they reach this point. This necessitates close financiering and the exercise of good judgment. States, like individuals, grow rich by the practice of economy in little things. A wise economy is the best possible foundation for splendid liberality, when the occasion is such as to demand it. The distinction between a capable and an incapable man at the head of any business enterprise lies largely in the skill with which he selects the objects on which he will and those on which he will not spend money freely.

There 's too much abstract willing, purposing,
In this poor world. We talk by aggregates
And think by systems; and, being used to face
Our evils in statistics, are inclined
To cap them with unreal remedies
Drawn out in haste on the other side of the slate.
—"AURORA LEIGH."

The lunatic, the lover, and the poet
Are of imagination all compact.

SUBLIMATED SYMPATHY.

Mr. Lewis J. Dudley, in the nineteenth annual report of the Clarke Institution for Deaf-Mutes, says :

> Of the epithet which associates the deaf with "the dumb brutes," suffice it to say that it was first applied at a time when mankind knew hardly more of the real nature and capacity of the speechless than the speechless knew of the nature and capacity of their speaking congeners. The low estimate of the deaf implied in and largely perpetuated in the public mind by this appellation crops out in the reluctance of most business men to give them employment, in the surprise often evinced by casual school visitors at their demonstrated intellectual capacity, in the senseless questions respecting them sometimes propounded by persons otherwise quite intelligent, in the cry of "dummies" and other indignities perpetrated upon deaf pupils by hearing children, and in the laws of a few of the older States of the Union—our own (Massachusetts) included—which discriminate invidiously between the hearing and the deaf, and which make the education of the latter practically a matter of State charity rather than of State obligation or policy.
>
> Again : while we mean no disrespect to any institution nor to the officials thereof, we cannot help thinking that the designation of what is simply a school for the deaf, as an asylum, is fraught with evil. We see no more propriety in it than in thus designating every boarding-school for hearing pupils. As long as we have asylums for the insane, asylums for the feeble-minded, asylums for the inebriates, and asylums for other victims of vicious indulgence, calling a school by this name seems to be putting its pupils into very poor company.
>
> Once more : State pupils in these schools are often called "beneficiaries." This seems to imply that what the commonwealth pays for their education is a charitable gratuity. Yet tens of thousands of common- and high-school pupils receive their schooling without any cost to their parents, even for books, or at no greater cost than a poll-tax. Their education is paid for out of a municipal treasury, while that of the deaf is partly paid for out of the State treasury. The money, in both cases, comes from the pockets of tax-payers ; and it is not easy to see how the one class are any more "beneficiaries"—recipients of charity—than the other. The object in both cases is, or should be, the same ; the making of good citizens, with an eye to the well-being of the State.

These very sympathetic and well-meant remarks afford us the occasion to express an opinion on the question of words to which exception is taken by very many friends of the unfortunate and defective classes. Perhaps the terms "unfortunate" and "defective" are also offensive.

Mr. Dudley certainly exaggerates the effect of the words deaf and *dumb*, deaf-*mute*, asylum, and beneficiary, upon the popular estimate of the capacity and situation of the deaf. It would be difficult to prove that the common use of these expressions, or of any one of them, ever led a hearing child to perpetrate an indignity upon a deaf pupil, or induced a business man to refuse to give employment to any deaf person.

The objection to calling a deaf-mute simply "deaf" is, that the word "deaf" does not define his actual condition. In the *Mute's Companion* we chanced to stumble upon the following sentence : "We are in favor of the word 'deaf' as a class term, because it is the *only* simple word which will include *all* of the class." The fallacy of this argument lies in the fact that a perfect definition must not only include all individuals of the class defined, but also *exclude all who do not belong to that class.* The word "deaf" does not exclude from the number of those whom universal and immemorial usage has designated as "deaf and dumb," those who have become deaf, or simply hard of hearing, after arriving at years of maturity, and have retained the perfect use of speech. In taking the census, if the enumerators were required to list all deaf persons, the enumeration of the special variety of deaf persons known as "deaf-mutes" would be an impossibility. The literary sense not only of English-speaking nations, but of other nations as well, is so keenly alive to the necessity of avoiding such confusion, that the French equivalent for deaf-mute is *sourd-muet*, and the German word is *taub-stumme.* Neither of these expressions is a term of reproach, and it is the extreme of supersensitiveness to imagine that they convey even an unintentional insult. "Mute" is not an offensive word, or it would not have been employed, in the line

> Some mute, inglorious Milton.

David says :

> I was dumb, I opened not my mouth, because thou didst it.

To insist that the word "dumb" is used in the sense of stupid (which is a vulgar colloquialism, and not its literary signification), is as absurd as it would be to contend that what those who say "deaf-*mute*" mean, is a hired mourner at a funeral. The only sensible objection to either of these phrases is that both are awkward. They did not, as Mr. Dudley supposes, "originate in a low estimate of the deaf," nor do they tend to degrade them in the public mind.

So of the word "asylum." The derivation of this word is from the Greek. It means a sanctuary, a place where thieves and murderers cannot enter, a refuge, a shelter. The secondary definition of it given by Brande is "a charitable institution." In the evolution of the terminology of benevolence, it is true that it has come to have attached to it more or less of the idea of permanence. It is often used to denote a life-long shelter. For this reason its application to hospitals for the insane is sometimes objected to ; a hospital is a place for the cure of disease, and the patient when cured will be discharged, not retained for life, as an incurable lunatic might be. But it conveys not the slightest intimation of insult, any more than does the word "beneficiary," in its legal sense and application ; a beneficiary is one who receives a benefit, and not necessarily a "recipient of charity."

After all, it is this word "charity," which rankles in the breast of the friends of the deaf. They seem to imagine that the deaf are singled out from all other classes of persons who need special help at the hands of their fellow-men, and cruelly branded as paupers. The friends of the blind have the same feeling. Mr. Anagnos, of Boston, said, at the Madison Conference of Charities and Correction :

> Public institutions are either penal, reformatory, eleemosynary, or educational in their character. A misapprehension of their character will lead to mistaken views of imaginary economy, or to mere illusions as to the magnificent results of centralization in the administration of public charities, or to the adoption of unwise rules and measures which will prove in time positively detrimental to the vital interest of society. It is with sincere regret that I am obliged to say that the very call to the managers of the schools for the blind to join in the deliberations of this Conference is a striking illustration of such understanding. It shows conclusively that the nature and scope of the education of sightless children is not as widely understood as it ought to be. In consequence of this imperfect knowledge, they are arbitrarily separated from the deaf-mutes (*sic !*) and are unjustly and indiscriminately classed with paupers, criminals, and insane.

Our great respect and admiration for Mr. Anagnos forbid us to characterize his language as it seems to us to deserve. The misunderstanding is on his own part.

The truth is, that the State cannot dispense "charity." Any attempt at charity on the part of the State is a violation of the rights of tax-payers. The very elements of charity are lacking in any appropriation from the public treasury for the support of any institution whatever. More than this : the maintenance, even of paupers, at public expense, is not charity, and an almshouse is not an eleemosynary institution ; for the right of every person having a legal settlement, who is destitute and disabled, to maintenance by the residents of his town, county, or State, is guaranteed both by statutory enactments and at the common law. The right of the pauper to support is, possibly, even more indefeasible than that of the deaf-mute to education. So far as these rights are in question, the one is no more a "beneficiary," in Mr. Dudley's sense, than the other.

But again, the sensitiveness on the subject of nomenclature, which is so apparent in the quotations which we have made, runs through the whole circle of charitable and correctional institution work. The blind and the deaf do not want to be classed with idiots, lunatics, paupers, or criminals. Neither do the insane want to be classed with paupers or criminals ; and paupers and criminals do not want to be classed with each other. To call an insane person a lunatic, though excellent English, is regarded by many as very bad

morals. An officer of a prison recently discussed the question, what he should call his——convicts? No, the term is offensive. Prisoners? very nearly as objectionable;—so he concluded to call them simply "men," which "is the *only* simple word which will include *all* of the class." But the Illinois legislator who addressed the convicts in one of the penitentiaries as "fellow-citizens," in blissful forgetfulness of the fact that their conviction had deprived them of citizenship, was even more considerate of their feelings. We must not say "idiots," but "feeble-minded." The word reform-school must be discarded, and "industrial" school substituted for it; and now the Illinois "Industrial" University has been compelled to change its name, on the ground that it was continually mistaken for a reformatory. What is this but the spirit of caste? It is Brahminism in benevolence. Such concessions to human vanity are amiable, but weak. The obliteration of actual distinctions which they imply is a violation of truth, and truth resents every assault upon her dignity. If this euphuistic spirit is allowed to have full course, the time will come when a gentleman will not dare to speak of his "home," for fear that he may be supposed to reside at an eleemosynary establishment.

That institutions for the deaf and for the blind are educational in their character is true. So are idiot-schools. So are orphan-asylums. So are charity kindergartens. It is equally true that they are benevolent institutions. This can be shown, historically, by citations from their charters. It is practically admitted, whenever the sympathies of a public audience are wrought upon by a prepared exhibition of the accomplishments of their pupils. Every legislature makes appropriations to sustain them, in large part from this feeling of sympathy and human kindness. Let the managers of these institutions go before a deliberative body of representatives of the people with the cold declaration that the application for an appropriation rests on no other or higher ground than the right of children who can hear and speak to receive an education (without board and lodging) in the common schools, and their very existence would be endangered.

As to their relations to the State, the State itself is the sole judge. Said Mr. Anagnos, at Madison:

> The school with which I am connected is founded upon the solid rock of equity, and not upon the piers of pity and favor. It has therefore no official relation with the State Board of Charities.

This is not the reason why, in Massachusetts, the Perkins Institution has no official relation with the State board. The real reasons are: first, that it is a private and not a public corporation; and, second, that the existence of the Massachusetts State board is based upon the Masachusetts laws of settlement, and that the primary obligations of that board are to State paupers, over whom it exercises executive control. These reasons have no applicability, in States where the schools for the blind and the deaf are the property of the State, where State paupers are unknown, and the functions of the State board of Charities are in no sense administrative, but are purely supervisory. Even in Massachusetts the "lunatic asylums"—a phrase infinitely more offensive to good taste than "institution for the education of deaf-mutes"—do not "rest upon the piers of pity and favor," but are "founded upon the solid rock of equity," in the same sense as the Perkins Institution itself. The same is true of the Idiot School, the Lyman School for Boys, the Industrial School for Girls, the Monson Primary School, and even the State Prison and the State Reformatory. This is pure poetry and sentiment.

If the State chooses to create a board of charities (by this particular title, which is in itself a misnomer), and to assign to it certain duties with reference to all institutions owned by the State and maintained, wholly or in part, at the expense of the State treasury, it is clearly within its right in doing so. The institutions which have an educational as well as a benevolent character are no more degraded by this action on the part of the State, than they are humiliated by the necessity of submiting their bills to the State comptroller or auditor, who also audits the bills of the penitentiaries.

And Mr. Huntoon's remark, at the St. Paul Conference, that our State schools for the defective classes "ought to find no place, except one of courteous tolerance, in a Conference of Charities and Corrections," is equally strained. The conference is an organization for the study of social conditions affecting human happiness and the welfare of society. The interest of that body in the well-being of the deaf, the blind, and the idiotic, is genuine, and is serviceable to its objects. Why should any friend of any class of unfortunates seek to put a padlock upon the lips of its members, to prevent them even from asking a question as to their condition and needs, and fetters upon their hands and feet, so as to keep them from doing them a kindness?

LEGISLATION ON INSANITY.

We very much prefer, in all ordinary cases of insanity, inquest by a medical commission. Inquest by commission is authorized in Connecticut (by the Superior Court), Georgia, and Montana; and inquest as to insane wards, in New Mexico, Pennsylvania, Rhode Island (by the Supreme Court), and Wisconsin. In Connecticut, Georgia, and Pennsylvania, one member of the commission must be a physician; in Wisconsin, the commission consists of two physicians; in Pennsylvania, one member must be a lawyer; and in Connecticut, one must be a lawyer or a justice of the peace. The number of commissioners appointed is, in Connecticut and Pennsylvania, three; in Rhode Island, not less than three; in Wisconsin, two; in Montana, one; in New Mexico, one or more; but in Georgia, the commission is directed to eighteen discreet and proper persons, requiring any twelve of them, including a physician, to make examination and inquiry and make return to the Ordinary.

Application for an inquest having been made to the court, and notice of the same served upon the person alleged to be insane, or upon some of his friends on his behalf, the court appoints one or more physicians to visit the patient at his residence, make a medical examination of him, and report to the court the opinion formed after such examination.

It is a hardship, to require that a person alleged to be insane shall in every instance appear in the presence of the court at the court-house, since there are cases in which the patient cannot be brought thither without great trouble and risk. Whatever form of inquest may be adopted, authority should be given to the judge to name the time and place of hearing.

The evidence of insanity is of a twofold nature, and is obtained, first, by examining the patient's physical organism, and second, by observing his conduct and conversation. For the first, a competent physician is all that is necessary; but in order to obtain the evidence derived from the conduct and conversation of a supposed lunatic, it may be necessary to take testimony. For this purpose the commission should have power to administer oaths and examine witnesses.

In case of neglect or refusal of witnesses to appear and testify before the commission, it may be necessary to issue subpœnas, a right which inheres in the court. Subpœnas may be issued in blank and given to the commissioners, or they may be issued upon their formal application for them.

The person alleged to be insane should of course have the right to demand a jury trial.

The report of the commission should be in writing, in the form of a certificate, to be placed on permanent file, either in the archives of the court, or of the hospital or asylum to which the patient is committed. The form of the certificate may be determined by the commission in lunacy, in States

where such a commission exists; otherwise, it should be prescribed in the lunacy act. It should be signed by the physicians making the inquest, and (perhaps) attested by oath. It should include a statement of their opinion, whether or not the patient is dangerous, and whether his physical and mental condition is likely to be improved by treatment in an institution for the insane.

The right should be reserved to the judge, to set aside the finding of any inquest; and, if not satisfactory, to make further inquest into the case; and, if he so desires, to bring the patient before him in person, and hear testimony in open court; also to visit the patient, at his residence, at the discretion of the court. Whether the inquest be by jury or by commission, the ultimate finding is the finding of the court, for which the court should be held to as strict accountability as in any civil or criminal case.

If a person alleged to be insane is not so found, the court will of course enter that fact upon the record. It is desirable that there should be a special docket for insane cases, and that they should not be entered upon the general docket. In case the patient is found to be insane, the court must enter an order for his disposition. If the person has no estate, this order will concern his person only; but if he has an estate, it may be necessary to enter a supplemental order providing for the custody and disposal of his property.

The order with respect to the patient's person may be (1) that he shall be committed to an institution for the insane, or (2) to a town or county almshouse, or (3) to a county jail, or (4) to the custody of the patient's friends, or to that of some other person appointed by the court.

In nearly all the States and territories of the American Union, State or territorial institutions have been provided for the custody and proper care of insane persons committed to them. The States and territories which have no such hospitals or asylums of their own are: Arizona, Delaware, Idaho, Montana, New Mexico, Vermont, and Wyoming. These States either place their insane in some private institution, as in Vermont (at Brattleboro); or enter into contract with some institution out of the State, as in Delaware, Arizona, and Idaho. In Montana, the insane are placed, by a board of commissioners for the insane of the territory, in the hands of the lowest and best bidder for their care. In Dakota, public patients may be taken by order of the county commissioners or overseers of the poor, to the asylum of any State that may be designated by the governor. In Wyoming, they may be sent to an eastern asylum, at the expense of the county. In New Mexico, the power of the judge is unrestricted as to the place of confinement.

It is not usual to allow the commitment of insane persons to an institution outside of the State; but Virginia and North Carolina are exceptions to the general rule.

A number of States (expressly, or by implication) authorize commitments to private asylums for the insane. The legal status of these private institutions is in many States not clearly defined. In Massachusetts, New York, and Pennsylvania, they must be licensed and are subject to inspection. The State of Massachusetts reserves the right to revoke at any time the license granted to a private insane asylum. In Wisconsin, all private corporations formed for any charitable purpose, including the care of the insane, are subject to visitation by the State Board of Charities and Reform to the same extent as the State institutions; they must make an annual report to the State Board of Supervision; and they are forbidden to receive patients from other States, until the trustees shall have executed and filed a bond to the State of Wisconsin, to be approved by the governor, conditioned to indemnify the State of Wisconsin and all parts thereof against loss, in case any person committed to them shall become a pauper in that State.

With reference to private institutions for the insane, it may be held, on the one hand, that their establishment should be discouraged by law; for the reasons that the State has less direct control over them, that their proprietors have a pecuniary interest in receiving and retaining patients in them, and that, owing to the greater difficulty of supervising them, it is more likely that abuses may grow up in them and remain concealed from public observation. On the other hand, it is urged that, for many persons, residence in a private institution is less objectionable than in one of more public character; the number of patients is usually smaller, and the number of attendants in proportion to the patients is larger, which is a guaranty of greater personal care and attention; life in a private institution is more homelike and affords better opportunities for individual treatment; and these institutions save the State from more or less expense, not only for the maintenance of patients committed to them, but for the erection of buildings for the accommodation of the insane. The advantages named seem to justify their existence, but only on the condition that the State shall exercise a thorough supervision and control over them. We therefore think that no lunacy law is complete, which does not include some provision for licensing and inspecting them, and require from them as full and detailed reports of all their operations, as are required from the institutions owned by the State itself.

The commitment of the insane to county jails is justifiable only as a temporary expedient, in case of extraordinary necessity. Such detention may be by a temporary order of commitment pending inquest, or pending admission to the hospital. It seems to us that it should be limited to a certain number of days, and not be indefinite in its duration (as is the case in several States). In Virginia and West Virginia, if the officers of an asylum refuse to admit any patient, he may be kept in jail until lawfully discharged or removed therefrom. In Mississippi, if there is no vacancy in the hospital, any insane person may be kept in jail until room can be had. In New Jersey, any two justices of the peace may order that any lunatic, who is dangerous to be at large, shall be apprehended and kept safely locked up, and chained if necessary; and if the settlement of a lunatic cannot be ascertained, and no other suitable place is provided within the county, he may be confined in the county jail until his legal settlement is ascertained. Such legislation as this is extremely harsh. The law of Rhode Island forbids the detention of any insane person for more than five days in any town asylum, poorhouse, lock-up, or bridewell, without the consent of the State Agent of Charities and Corrections. In Michigan and New York, the time during which a lunatic can be legally kept in jail is limited to ten days. The statutes of South Carolina forbid the confinement of any pauper, lunatic, idiot, or epileptic in any jail for safe-keeping. The Ohio statute provides that, when any county has provided apartments for the care of lunatics and idiots in the county infirmary, all such who may be confined in the county jail must be transferred to the infirmary, if not received into the State asylum. No insane person not charged with any breach of the peace can ever be confined in the United States jail of the District of Columbia.

The comitment of insane persons to almshouses, instead of to State institutions, is allowed in a number of States. The uniform testimony of persons competent to form an opinion as to the condition and treatment of the insane in almshouses is, however, that these are not suitable and proper places for their care. There are many towns and counties in the United States, in which the care of paupers is committed by the authorities to the lowest and best bidder—a practice which virtually makes merchandise of their misfortunes, and results as a rule in the selection of persons least fitted to care for them aright. Where this is not true, the selection of the almshouse-keeper is in the hands of the town or county board; the number of paupers in a single institution is usually quite limited; the care of the farm and of the premises occupies the principal attention of the keeper;

and the inmates often suffer from neglect, especially where the terms of the contract with the keeper provide for his charging and receiving a definite sum per capita or, for all the paupers in a body, without reference to their number. The condition of the insane in almshouses is often deplorable, not so much owing to the brutality of their keepers as to their ignorance. They lack the essential comforts to which the sick are entitled; their insane propensities are either too much humored, as (for instance) where patients are allowed to go without clothing; or they are held in too rigid check. Many insane persons, who are not in fact dangerous, inspire fear by their noisy or excited demeanor, and are unnecessarily restrained of their liberty, sometimes by chains; or they are secluded in improper quarters, and grossly neglected, even in respect of their personal cleanliness and the food and drink supplied to them. Not unfrequently, outrageous attempts are made to intimidate them. They receive insufficient medical attention, and but little attention of any other sort, being often left to the care of paupers, and occasionally waited upon by those who are like themselves, insane. These evils are found to exist not only where the insane occupy the same premises with the sane, but where special receptacles have been built for their accommodation, known as insane departments of almshouses. These insane departments are very cheaply and rudely constructed, very imperfectly heated and insufficiently supplied with water; they often lack proper drainage and sewerage, and present thoroughly unsatisfactory sanitary conditions. As a counterpart to this dark picture, it must nevertheless be said that, in some almshouses, the insane are well treated in all respects; they enjoy a large degree of personal freedom, and are usefully employed, according to their capacity for work; association with sane paupers is an advantage to many of them; and they are more accessible to their friends. But we are clearly of the opinion that a State which allows insane paupers to remain upon county farms should retain and exercise absolute control over the treatment to be accorded to them.

This is secured, in the State of Wisconsin, by a somewhat ingenious system, which has not perhaps been long enough tested to admit of a final verdict as to its merits, but which has thus far, according to all reports, worked very well. In that State, the law provides that the counties shall pay one dollar a week, to the State hospitals for the insane, for the support of each pauper patient committed to them. No county is allowed to retain any insane pauper on its county farm, except by express permission of the State Board of Charities and Reform, which must first satisfy itself that the premises are adapted to the care of the insane, before it can give this permission. When the State board has granted its license to any county, to receive and care for insane pauper patients discharged from the State institutions or sent to it from other counties, the State agrees to pay to such county the sum of one dollar a week for every patient maintained, on condition that the care and treatment given him is satisfactory in all respects to the State board. The State board must certify the accounts of the county against the State treasury, before the money can be paid. This gives to it a degree of moral power over the county boards which is almost, if not quite, equivalent to direct State control. The advantages claimed for the system are: that a larger number of insane in the State are properly cared for, at a less expense, than under the system of purely State institutions; that the insane are not aggregated in such large numbers in one place, and therefore receive more individual attention; that they enjoy an unusual degree of personal liberty and are more easily employed in useful labor; and that they are nearer to their friends. But whether the courts commit insane patients directly to these county institutions, we are not informed. It is our impression that they are principally, if not wholly used as receptacles for the chronic insane who are discharged from the State institutions. We doubt whether the practice of committing the insane directly to almshouses ought to be tolerated by the law, but are very sure that no insane pauper ought ever to be received in an almshouse without such commitment.

The custody of insane by private persons (either with relatives and friends, or other persons authorized to care for them for remuneration), is a question which presents grave difficulties. There can be no doubt that an insane person who does not require to be restricted of his liberty, or deprived of the custody and control of his estate, may lawfully reside with his friends, or wherever else he may elect; but the moment that his condition becomes such as to render it necessary to deprive him of his personal freedom, the law should intervene for his protection. We do not, of course, refer to the cases of persons suffering from temporary delirium from fever, or mental aberration originating in physical disease, which does not, in fact, constitute insanity; but only to such cases as require to be confined under lock and key permanently, or for long periods of time, or at statedly recurring intervals. No relative or friend should be allowed to retain a patient at home, in confinement or seclusion, without warrant from the court. Such confinement is, in fact, unlawful imprisonment, and should subject the person guilty of it to punishment. The court, if satisfied that the patient adjudged to be insane can be as well (or better) cared for at home as in a public institution, may order his commitment to the care of his friends, and confer upon them authority to make use of all necessary restraint for the purpose of preventing him from injuring himself or others. But we do not think it right that the court should appoint a guardian for a lunatic (as in some States), and authorize such guardian, at his discretion, to place his ward in jail, or in a hospital or asylum for the insane. Neither do we approve the law of Tennessee, which authorizes the letting of pauper idiots or lunatics, for a term of one year, to the lowest bidder; nor the law of Florida, which provides that the court may, instead of committing to an asylum, direct an insane person to be delivered to any other person, and such person receives for his care and custody not exceeding $150 per annum from the State treasury.

A further question arises as to the commitment to the custody of private persons of patients discharged from institutions for the insane. It not infrequently happens that the patient's friends (either because they are informed by a letter from the patient that he is no longer insane, or because, upon the occasion of a visit to the hospital, they converse with the patient himself and see in him no indication of insanity, or because the patient expresses a strong desire to return to his home and friends) demand that the superintendent shall discharge him forthwith. If the law does not clearly define the duty of a superintendent in such an emergency, he is often placed in a very delicate and embarrassing position. Have the friends or relatives of a lunatic, after making application to the court for an inquest, with a view to his commitment to an institution for the insane, still the right to dispose of his person in accordance with their own impression of his condition and needs? We think not. The patient is no longer in their custody, but in the custody of the legal authorities, who are responsible for him, and whose judgment as to the propriety of his discharge, or his release upon parole, must be paramount. In some States, persons who are adjudged to be insane cannot be delivered into the custody of their friends, unless the latter give a bond, conditioned that the patient shall be properly restrained and cared for if kept at home. The statute should also define with precision the power of the superintendent to grant permission to paroled patients to return to their homes upon trial, and to extend such permission, from time to time, as may be expedient, without in fact surrendering the custody and control of insane persons. Some limit should of course be placed upon the duration of paroles, when a paroled patient should be discharged from the institution.

BARWICK BAKER.

Thomas Barwick Lloyd Baker, Esq., of Hardwicke Court, Gloucester, England, was born in 1807, educated at Eton, and at Christ Church, Oxford. He became a magistrate and deputy-lieutenant of Gloucestershire, and in 1847–48 was High Sheriff of the County. He qualified as a magistrate in 1833. In Gloucester Gaol, of which he was one of the Visiting Justices, began, under Sir George Paul, the development of the separate system of confinement of prisoners in England, which has now become generally accepted on the Continent. He was the foremost advocate of the system of police supervision of criminals after their liberation; the father of the English industrial and reformatory school system; the inventor of the Berkshire plan for the suppression of professional vagrancy; and the founder of the annual congress of Poor-Law Guardians for the West Midland District. It was at his house that the British Association for the Promotion of Social Science was organized. He was a constant attendant upon all national and international meetings which had for their object the suppression of crime and mendicancy and the moral regeneration of the criminal and the pauper. He was also a perpetual and vigorous writer for the press, and his contributions to the transactions of foreign societies and to foreign journals were frequent and valuable. The late Dr. E. C. Wines had perhaps no friend abroad whom he more highly esteemed or dearly loved; many Americans have enjoyed the hospitality of Hardwicke Court, and it is their firm belief that there can have been no more delightful home in all England. To his widow and two surviving sons, as well as to his neighbors and countrymen, they extend their sincere sympathy in the loss which they have sustained.

From a little memorial of him, reprinted from the *Gloucestershire Chronicle*, we take the following extracts:

The re-establishment of reformatory schools in England is perhaps the work in which the name of Mr. Baker has become most widely known. Nearly a hundred years ago, a school for the reclamation of young criminals was attempted to be founded in London, and one or two similar institutions were afterwards started, but, from causes into which it is not necessary to enter, they failed. Speaking at a meeting in Gloucestershire five-and-thirty years ago, Mr. Baker said that the seeing of children in prison time after time had occasioned him great pain, and he had thought much as to whether it could not be remedied. One day the Hon. Miss Murray, Maid of Honor to the Queen, called his attention to the possibility of reclaiming vicious children, and said that if he would bring to her any child that had sufficient strength of character to distinguish itself in vice, she had no fear that she would be able to make that child distinguish itself in virtue. She urged him to visit a school then established in London; he did so, and became warmly interested in it. He talked to his friends on the subject of founding a similar institution, but few had the means of taking it up and paying sufficient attention to it. At length, however, he was fortunate enough to enlist the help of Mr. George Henry Bengough, of the Ridge. The school at Hardwicke was commenced in 1852, the first inmates being three young London thieves whom Mr. Bengough brought into the country for treatment.* For some time the work was carried on almost secretly, Mr. Baker and Mr. Bengough having misgivings as to their success. But before long the school began to attract attention, and many strangers, among them members of Parliament, visited it.

It is almost impossible in these days to realize the extent to which juvenile crime prevailed forty years ago. It was estimated that in London alone there were 20,000 children who lived by pilfering and begging, and of these 3,000 had been taken indiscriminately, and out of these 150 were without parents, 350 had parents who did not care for them, and the rest were sent out to beg by depraved parents. At a meeting in Gloucester, Mr. Bengough said that the return from almost every prison showed that a large number of juvenile offenders were recommitted sometimes as many as ten and eleven times each. In his own school some of the boys had been committed seven or eight times, and one boy ten times, having been an inmate of many prisons. Up to that time 23 boys had been in Hardwicke School, and so successful was the institution, that in 1855 Mr. Baker was able to make the gratifying report that there was scarcely a regular habitual young thief left in the whole county.

Professor Von Holtzendorff writes: "He always firmly declined to receive the congratulations of the few foreigners (at the London Prison Congress) who were aware of his services. He denied that any original idea could be imputed to him. But he had no false modesty, for he claimed to possess one merit. 'I possess, thank God, the patience which in woman is called angelic, and which in myself I can only liken to that of the donkey, because I have no talents whatever. With this donkey-like patience I have accomplished one feat that is worthy of imitation. I have obtained a hearing in a cause which the cultivated world does not care to discuss—in the cause of thieves, prisoners, vagrants, and paupers.'"

Mr. Baker—though he was, in English politics, a conservative—loved this country, and his last thoughts were given to it, as appears from what was probably his last letter, written to his friend, General Brinkerhoff, of Ohio, in which he says:

I have not been able yet to study the reports of your congress at St. Paul; but I observe that in Gov. Hoadley's very interesting speech he states that out of 100 men on parole *only one* is lost sight of. This seems to us amazing; but is *partly* explained by his saying—what I had not before fully understood—that paroles are only granted to those on first conviction. It is curious that England and America seem to have run into opposite errors. We sentence to police supervision only those who have been previously convicted (though many on first conviction would be the better for it); you give it only to the first convictions. Your plan makes the more successful show at the first (and therefore may be the safer to begin with), but ours—by restraining the more dangerous—is the more valuable work. I hope that we shall get our supervision allowed for first convictions, and probably you will get your parole allowed to second. For third convictions you have already your own system, which I cannot sufficiently admire or praise.

You say that Mr. McGarigle and others think that fewer young offenders should be sent to prison. No doubt of it. But why are not the numbers reduced? Your system of State laws ought to have the great advantage that, if one State tries a system which succeeds in mitigating or abolishing an evil, other States can wait and see the success proved, and then copy it, perhaps with farther improvements of their own. Yet here is the Massachusetts probation system, which is exactly the cure for the over-imprisonment of the young—which I hope will be the law of England before twelve months are over—and I have not heard of any other State attempting it. Howard Vincent brought a bill before the last session for its adoption in England, only placing the supervision in the hands of the *police;* but, of course, in the excitement of Irish affairs, it got no attention; but I trust it will pass next year. Do you know any reason why it should not succeed in other States?

Frederick Wines sent me a book that seems well written—"Our Penal Machinery and its Victims," by J. P. Altgeld—which mentions some apparently sad abuses, with (at least in one case) a successful remedy.

He says (p. 68) that "the fee system" is the cause of a large number of arrests, the fees going to "some petty officials." If this be so, and if it be general through the States, it ought to be changed. But he further states that the Maryland legislature, by acts of 1880 and 1882, abolished the system, in criminal cases, in the city of Baltimore; and the number of arrests decreased, in one year, from upwards of 12,000 to about 7,000—the officials being paid by salary instead of the fees. It appears as if this must be a saving to the State or county, as the keep of the prisoners in jail, even for a short time, must cost more than the fees; while the evil of introducing 5,000 persons per annum *unnecessarily* to the horrors of a common jail must be *very* great—greater than we in England like to think of. Mr. Altgeld also says (p. 35) that boys are often arrested for "sleeping in sheds," etc., and are sentenced to a fine, which not being able to pay, they are sent to the "bridewell, where they remain from ten days to six months." This, of course, is a loose statement, but if there be any number of boys imprisoned, for any approach to six months, for simple vagrancy, even if it were a separate prison, it would seem to us terrible. But such reforms as these would be not only costless, but an actual saving of money, as *somebody* has to pay, and pretty highly, too, for the cost of each prisoner.

He brings, too, heavy charges against your grand-jury system (p. 40), but he hardly explains it clearly enough to lead one to suggest any alteration *except one*. I know not how far American grand juries may be useful, but in England I have never found any use in the institution; but it is an ancient custom, and it does very little harm, as the grand jury meet at the same time as the court, and thus occasion no delay in hearing the cases; and the grand jurors don't often complain of the trouble, and it is hardly worth while to make a great fight to overturn an ancient custom which does little harm. But if, with you, it frequently delays the trial and keeps a man in prison "months" longer than is necessary, it becomes a serious evil.

Well, now, my dear friend, I have bored you long enough with my "fancies." They are probably all wrong, which you will rightly set down either to my weakness, mental and physical, or to my ignorance of your country———

(Here Mr. Baker stopped. The letter is unfinished and unsigned.)

From the Chairman of the Quarter Sessions of the County of Gloucester we have received the following note:

* Mr. Bengough was heir to a fortune of £10,000 a year, but just as he was entering on his 24th year left the luxuries of his home to reside for two years with young criminals and give them elementary instruction.

DEAR SIR:—I enclose a circular inviting subscriptions to a memorial to Barwick Baker, who died on the 10th of December, 1886, and who was well known to yourself as a philanthropist and as a reformer of the systems of dealing with the criminal classes. It was determined at a meeting of the Justices of Gloucestershire, that such an acknowledgment of his great services should be erected in our Cathedral at Gloucester. We hope that some small subscriptions from countries beyond our shores will prove that his work has been appreciated far beyond the bounds of his native land, and that he has left many friends behind him. If you would make yourself the medium of remitting any such subscriptions to me, I should feel greatly obliged, and I should also, with your permission, wish to place your name on the list of the committee.

I remain very faithfully yours,
I. S. DORINGTON,
Chairman of Quarter Sessions, County of Gloucester.
Lyriatt Park, Stroud, January 20th.

The influence of Mr. Baker upon the thought of a certain section of the laborers in the cause of philanthropy, represented in the Social Science Association, the National Prison Association, and the National Conference of Charities, has been very appreciable on this side the Atlantic, and we are quite sure that he has American friends and admirers who will be glad to associate their names with those of Englishmen in a tribute to his memory. We shall be pleased to receive and forward subscriptions for this purpose, and hope for a response worthy of the man and of the noble aims to which he consecrated his life.

Mr. W. P. Letchworth, of Portage, New York, Gen. R. Brinkerhoff, of Mansfield, Ohio, and Mrs. C. R. Lowell, of West New Brighton, N. Y., have received the same circular from Sir John Dorington, and will equally be glad to serve as the medium of transmission of contributions. The usual English subscription is from one to five guineas.

OVER-GROWN INSTITUTIONS.

One of the oldest physicians in service as superintendent of an institution for the insane writes us:

No matter how many "assistant physicians!" The one selected superintendent cannot delegate his ability or his influence to subordinates; and they are ever changing, changing, and under minor influences. This over-crowding lunatic hospitals is producing an increasing unrest and discontent. I see that the number of recoveries is decreasing. Jacobs, Tuke, Todd, and Woodward are coming to the front once more. "Palaces for paupers" are in due time going out of fashion in America and in England.

GAMING.

We have received a letter from one of our subscribers, asking us to say something on one of the evils which afflicts American society to its core, and is the cause of untold wretchedness—the vice of gambling.

In an old book we find some remarks on this subject so much better than any which we could make, that we transcribe a few of the more striking passages, in the hope that they may influence some devotee of the gaming-table to abandon a habit so indefensible and so degrading. These observations apply to lotteries, and to speculation in some of its forms, as directly as to any other kind of gambling.

There are but two possible methods by which we can acquire property from others honestly, namely: either by free gift, or by rendering an equivalent for what we receive. Property won by gaming is not obtained in either of these two ways.

The gamester spends a great part of his time in contrivances and labors to get, and in actually getting, the property of others for nothing. This is the very crime of the cheat, the swindler, and the thief.

It may be said that the other persons mentioned take property *covertly;* while the gamester takes it *openly*, and therefore fairly. So, I answer, does the robber.

It will be further said, that these persons take property *without* the consent of the owner, whereas the gamester wins it *with* his consent.

No man ever sat down to a game with an entire consent that his antagonist should win, Every one who is a party to it intends to win the property of his antagonist, and not to lose his own. The design to obtain property in this manner is as unjust and fraudulent as any which respects property can be.

No man has a right to yield his property to another on this condition.

The only light in which gaming is commonly regarded as justifiable is that of *amusement.*

Every lawful amusement is of such a nature as to refresh and invigorate either the body or the mind. But gaming does neither. That it does not refresh the body is too obvious to demand either proof or assertion. Equally certain is it that it does not refresh nor invigorate the mind. It furnishes no valuable information; it adds no strength to the reasoning powers. So far as it has influence at all, it wearies the intellectual faculties; it is attended with all the fatigue, but with no part of the benefit, which is experienced in severe study.

It neither sweetens nor enlivens the temper. On the contrary, it is a grave, dull, spiritless employment, at which almost all persons lose their cheerfulness and impair their native sweetness of disposition; in which the temper is soured; and in which gloom, moroseness, and frequently envy and malice, are not only created, but strengthened into immovable habits. Gamesters, I know, herd together. But it is without good-will or social feelings, and merely because gaming makes it necessary.

All the real pleasure found in gaming is found in the acquisition of money, or the pride of victory, and the superior skill or fortunate chance from which it is derived. These are base and sordid sources of pleasure.

In the meanwhile, all the time employed in it is wasted and lost.

Gaming is, in itself and in its consequences, an entire omission of all duty. With industry and economy the whole life of a gamester is at war. Into the heart of a man engrossed by schemes of acquiring the property of his neighbor by the throwing of dice and the shuffling of cards, it is impossible that benevolence should enter. In acts of beneficence, hands which have so long been made the instruments of covetousness and plunder can never be employed.

Squandering money at the gaming-table is of no use, either to the loser or to the winner. If the loser has common-sense he can take no pleasure in his losses. If the winner has common honesty he can take no pleasure in his gains. Beside the suffering involved in his immediate losses, the loser forms a pernicious habit of undervaluing property, and cuts himself off both from doing and enjoying that good which the property lost might have procured. Nor is the winner more happily affected, From winning often, especially when in straightened circumstances, he soon acquires full confidence that he will win whenever it is necessary. Hence he expends what he has gained on objects of no value. *Male parta male dilabuntur* is probably a maxim in every nation, and is verified by all experience. The old age of a gamester is the cold and comfortless evening of a forlorn and miserable day.

No gamester was ever respected as such. So conscious of this fact are the whole class that they usually take effectual pains to carry on their wretched employment in solitude and secrecy, hidden from the eyes of mankind. The slanderer, who blasts the reputation of another, is universally and justly regarded with abhorrence. What the slanderer does for another, the gamester does for himself. The slanderer is an assassin; the gamester is a suicide.

Every gamester, with too few exceptions to deserve notice, becomes a sharper, of course. High expectations of acquring property suddenly, distressing disappointments, great gains and great losses instantaneously experienced, strong hopes alternating with strong fears, and holding the mind habitually in a state of anxious suspense, regularly prove too powerful for the honesty of every man who has not too much virtue to be a gamester. By what is called "fair play" he fails of being successful. The success tempts him to play unfairly. Ultimately he is charged with it. He denies it, and thus is gullty of falsehood. The charge is reiterated. He swears to the truth of his denial, and is thus guilty of perjury. His oath is doubted. He becomes angry, profane, and furious, and not infrequently engages in a quarrel to vindicate his wounded honor. At times the dispute is terminated by a duel. To close this wretched detail, the gamester very often ends his miserable career with drunkenness, and not infrequently with self-murder.

There are many persons who condemn what is called gambling, and who yet appear to think themselves justified in gaming for mere amusement. Whatever influence this conduct may have upon themselves, it will, as an example to others, be pernicious. Were gambling unfurnished with reputable and fashionable examples, it would, I think, be easily exterminated from the world.

"If Europe," said Montesquieu, "is to be ruined, it will be ruined by gaming."

Man partly is and wholly hopes to be.

Blessed is he that considereth the poor: the Lord will deliver him in time of trouble.—Psalms xli. : 1.

A fine quotation is a diamond on the finger of a man of wit, and a pebble in the hand of a fool.—JOSEPH ROUX.

There 's not a crime
But takes its proper charge out still in crime,
If once rung on the counter of this world;
Let sinners look to it.

Natural things
And spiritual—who separates those two
In act, in morals, or the social drift,
Tears up the bond of nature and brings death,
Paints futile pictures, writes unreal verse,
Leads vulgar days, deals ignorantly with men,
Is wrong, in short, at all points. —MRS. BROWNING.

OUR BOOK-TABLE.

Convict Life, or Penitentiary Citizenship, in the Illinois State Penitentiary, Joliet, Illinois. Written in Prison by Thomas Elgar (6197), 1885. *Published and sold by Thomas Elgar, Rochester, N. Y.* 1886. *Copyrighted. Price Forty Cents. Pp.* 48.

This pamphlet is written in an entertaining style, and the sentiments expressed in it are unexceptionable. The writer believes in the "indeterminate sentence," but not in the "ticket-of-leave." He estimates very highly the benefit, from a reformatory point of view, of education in prison. "Too true is the statement that knowledge does not of itself prevent crime, but the truth is of equal force that, without it, a man on leaving a penitentiary is more liable to become associated with the criminal classes of the community than he was before." Neither does he think that the religious instruction given to prisoners is wasted upon them. The contract system of prison labor "stands in the way of the main object of punishment-reform." Naturally, he feels a great sympathy for discharged prisoners. "Society is laboring under a mistake of colossal magnitude in ranking ex-convicts with the criminal classes. The presumption should be that they are *cured patients*, and, until it has been proven that the treatment to which they have been subject has not been effectual, they should be listed with honorable men. It is because of this second and greater punishment that ex-convicts are in the habit of assuming an alias, or in some other way hiding their trouble from the public gaze. The temptation to forge letters of recommendation is strong in the case of a man of ability: he yields, and at once becomes what he was before—a Living Lie." His analysis of the causes of crime is striking, and it is worthy of notice that he does not fall into the error of attributing criminal conduct to causes outside of the criminal, but says: "The root difficulty in the case of any man in the penitentiary may be found to have been either in *pride*, *ignorance*, or *passion*. In men of education, pride has almost invariably been the first cause. Pride is the parent of embezzlement, forgeries, ballot-box stuffing, gambling, and other frauds. Ignorance finds a numerous progeny in burglary, highway robbery, pocket-picking, and crimes against the person. Passion supplies subjects for the hangman's halter and the lunatic wards of prisons and asylums." His advice to ex-convicts is elaborated under five heads: (1) Do not assume an alias; (2) Make restitution, if possible, but in any event seek the forgiveness of the person whom you have wronged, whether you obtain it or not; (3) Do not renew unprofitable acquaintanceships, but seek your friends among the very best, and let them know your actual history; (4) Get something to do, accept the first offer, and save all you can of your earnings; (5) Lead a religious life—not of profession, but of action and private communion with yourself and God, free from ostentation and from hypocrisy. Incidental allusions and anecdotes, scattered through these pages, throw more or less light upon the operation of a convict's mind, which is always an interesting study. Chicago is known, in the prison, as "a convict-mill." Concerning the Chicago Board of Trade he remarks:

> When this Board becomes the head and front of a vast scheme of gambling, leading to what is termed an "open board" and a number of "bucket-shops," where men and boys, confidential clerks, and cashiers buy what they do not want, and what, after purchase, they do not see, and sell what they do not and can not, in the ordinary nature of things, possess, then the question arises, whether the Board of Trade, though an excellent institution *per se*, should be allowed to exist as a legalized corporation.

We are gratified to hear, from the lips of this witness, that "the Illinois State Penitentiary is a penal institution governed by the genius of Christianity," and that "it is impossible for a man or woman who has been an inmate to say, truthfully, 'no one cared for my soul.'"

There are three things in this world which deserve no quarter—hypocrisy, pharisaism, and tyranny.—F. W. Robertson.

THE NEXT CONFERENCE.

It is finally decided to hold the Omaha Conference, commencing Thursday, the first of September.

It has taken a long time for our friends there to fix the date, owing to delay in agreeing upon the time for their fair or exposition.

I am now engaged in preparing a circular, giving the list of all the officers and committees, and shall send it to Omaha, to be printed, next week.

H. H. Giles,
President of the Conference.

Madison, Wis., Feb. 19th.

THE PAROLE SYSTEM IN OHIO.

There had been, up to the first of January, 176 prisoners paroled from the Ohio Penitentiary; of whom 33 have been discharged by expiration of sentence, 3 have been pardoned, 1 has died, 4 have been returned for violation of parole, 5 have quit reporting and have disappeared, 10 report irregularly, and 120 are reporting regularly and doing well. In the opinion of General Brinkerhoff, the system "is a success, and when better guarded will be of very great value."

THE FRIEND.

We advise Protestant Evangelical readers of the Record to send for a specimen copy of *The Friend*, published monthly, at No. 150 Nassau Street, New York (Room 3). The subscription price is only fifty cents a year. It is published quarterly, and as an eight-page sheet, illustrated. It is devoted to philanthropic work of all descriptions, is entertainingly written, popular in its character, and we are sure that you will like it. It deserves, and no doubt will have, a wide circulation.

NOT WHAT HE SAID HE WAS.

A friend calls our attention to an illustrated story of a lunatic printed originally in one of the reports of the King's County Lunatic Asylum, which we slightly abridge, without taking from it any thing essential to its completeness and value:

Some years ago the board of supervisors visited the asylum, for the purpose of forming an opinion as to the necessity for an enlargement of the institution. Early on their rounds they chanced to encounter an individual who conversed so well, and presented such slight signs of intellectual or emotional aberration—in short, who seemed to them to be so evidently restored to reason, if he had ever lost it—that they began seriously to question whether if they could find a few more in a like condition, it would not be wiser to discharge all of this class and postpone building for the present. The patient, having attracted the notice of the members of the board, when they had all gathered about him, raised his voice a little, and, asking their permission, began to address them. The purpose of their visit, he said, he knew. They would find little amiss in the asylum, but on the contrary much to commend. He had himself been treated with uniform kindness, and he heard none but trivial complaints from others. The house was really overcrowded, and more room ought to be provided. "Such institutions," he continued, "are very proper places for the custody and treatment of those for whom they are designed, but I am not one of them. I was arrested and sent here by a misapprehension, as insane—it was a mistake. I blame no one. To err is human. I respectfully ask to be released; that is all."

The patient's voice and manner expressed no indignation; his countenance bore an expression of benignity and calm resignation. Several of the members remarked that no one certainly could discover any evidence of insanity in any thing said or done in their presence, and an accompanying visitor said that if that man was crazy it would be necessary

to extend the walls of the asylum to take in half of the city of Brooklyn. The superintendent fancied that if he kept silent the appropriation for enlargement might vanish, and he accordingly reminded the patient that he had evidently for the moment forgotten that bolts and bars were nothing to him, and that no one could restrain him for a moment against his supreme will did he choose to exert it. To this he mildly replied: "It is indeed true, gentlemen, I am Jesus Christ."

The buildings were enlarged. One night, not long after the visit of the supervisors, this Christ-like man nearly killed his attendant while endeavoring to effect his escape, undertaken, he said, for the purpose of rescuing John Brown, who was to be executed the next morning in Virginia. He succeeded during the struggle with this attendant in inflicting nine fearful gashes about his throat and neck with the stub end of an old razor, which he had picked up somewhere about the grounds, and managed—as he was looked upon as harmless—to carry concealed about his person. The wounds measured altogether forty-six inches in length. The attendant barely survived the shock caused by the severe hemorrhage, and nearly a full year elapsed before he had regained his usual strength. The patient became entirely well soon after this sad occurrence, his disease having culminated, as is not seldom the case, in the one terrible outburst.

THOUGHTS FROM AMIEL'S JOURNAL.

Life should be a giving birth to the soul.

Life passes through us; we do not possess it.

Virtue consists in self-conquest.

Sacrifice is the passion of great souls.

I hear the drops of my life falling distinctly one by one into the devouring abyss of eternity.

War to all that debases!

Our duty is to be useful, not according to our desires but according to our powers.

Let us humbly accept from God even our own nature.

Do not despise your situation; in it you must act, suffer, and conquer.

The inner life is the only means whereby we may oppose a profitable resistance to circumstance. If the sailor did not carry with him his own temperature, he could not go from the pole to the equator, and remain himself in spite of all.

If we wish to do good to men, we must pity and not despise them; we must learn to say of them, not "What fools!" but "What unfortunates!"

Nothing is more characteristic of a man than the manner in which he behaves towards fools.

Sophistry is at the bottom of human wickedness.

Wickedness is forever beginning a new spiral, which penetrates deeper still into the abysses of abomination, for the circles of hell have this property—that they have no end.

Moral indifference is the malady of the cultivated classes.

Human solidarity is a fact more evident and more certain than personal responsibility, and even than individual liberty.

He who is too much afraid of being duped, has lost the power of being magnanimous.

Doubt of the reality of love ends by making us doubt every thing.

Despair is not a durable situation.

Doubt is the accomplice of tyranny.

Discouragement is an act of unbelief.

Nothing resembles pride so much as discouragement.

Discontent is the father of temptation.

Illusion is the universal spring of movement.

Self-interest is an inexhaustible source of convenient illusion.

The ideal is a poison, unless it be mixed with the real, and the real becomes corrupt without the perfume of the ideal.

Nothing real is simple, and whatever thinks itself simple is in reality the farthest from simplicity.

What is madness? Illusion raised to the second power.

Madness means the impossibility of recovering one's normal balance, after the mind has played truant among alien forms of being, and followed Dante to invisible worlds. Madness means incapacity for self-judgment and self-control.

Science is a lucid madness occupied in tabulating its own necessary hallucinations.

Society lives by faith, develops by science.

I incline to believe that nature is the virtuality of mind; that the soul is the fruit of life, and liberty the flower of necessity; that all is bound together, and that nothing can be done without.

Race problems are simply problems of heredity taken in mass.—Dr. Billings.

THE REGISTRATION OF CONVICTS.

A meeting of prison wardens has been called to convene at Detroit, March 8th, for the purpose of forming a "Wardens' Association for the Registration of Habitual Criminals." It is proposed to inaugurate a system of exchanges, between prisons, of the criminal records of members of the crime class who are in custody, together with photographs of those registered. This movement is not antagonistic to the National Prison Association, but has a specific purpose of its own, which is to prepare the way for the introduction of the parole system, which, it is believed, is making steady progress in popular favor, and is certain to be generally adopted at no distant day. We are evidently upon the eve of a more thorough effort to eradicate habitual criminals from the community, and the present movement is an indication of progress in that direction.

PAUPER CHILDREN IN THE WEST.

The following "bill for an act to prevent the bringing of pauper children into the State" is pending in the legislature of the State of Illinois:

§ 1. That it shall be unlawful for any person, association, or corporation, to bring into this State any child under the age of eighteen years, who is a pauper or who will be dependent on the charity of others for support, nurture, or maintenance, or for the purpose of binding or apprenticing such child to any person, corporation, or association in this State, or of placing or putting such child in any family in this State, unless such child shall be related by affinity or consanguinity to the person to whom bound or apprenticed, or in whose family such child may be placed.

§ 2. Any person, corporation, or association bringing into this State any such child, or having the same within this State for the purpose or with the intent to leave said child within this State, shall, on conviction, for each offence be fined in any sum not less than fifty dollars nor more than two hundred dollars.

§ 3. It is hereby made the duty of the State's Attorneys of the counties of this State to prosecute all offences under this act. Such prosecutions may be by indictment or by information in any court having jurisdiction thereof.

FACT AND OPINION.

The Patronato di Temperanza, of Milan, in Italy, purposes establishing an inebriate asylum.

The hospital for phthisis and incurables, to be erected in New York, at the corner of St. Ann's Avenue and 144th Street, will contain 250 beds and cost $150,000.

The Rutherford County jail at Murfreesboro, Tennessee, was burned on the 13th of February. Three negro prisoners, confined in cages, could not be rescued, and perished in the flames.

A special commission, composed of Drs. Stephen Smith and Charles Macdonald, together with Mr. Alfred C. Chapin, the State Comptroller, has reported in favor of the removal of the State Asylum for Insane Criminals, at Auburn, New York, from its present location to a farm. The present building, they suggest, could be utilized without special modification, as a State prison for convict women.

The commission to locate a third hospital for the insane in Minnesota selected Fergus Falls as a site. The amount paid for 916 acres of land was $30,440. The plan of building recommended is: a main building, to have a limited capacity of 300 patients, and two detached wards, one for each sex, to accommodate 150 patients each. The estimated cost of the entire establishment is $240,000, or $400 per bed, including land and furniture.

The undue percentage of foreign-born insane in the United States has been the subject of frequent remark. The same appears from Dr. Manning's report to be true of New South Wales, where, of 3,203 patients under care during the year 1885, only 856 were natives of that colony, and 105 of other colonies of Australia. Of those not natives, 940 were born in Great Britain, 947 in Ireland, and 355 elsewhere; these last alone are there called "foreign."

The commission to select a site for an insane asylum in Northern New York divided on strictly party lines, the three Democrats voting for Plattsburgh, and the two Republicans for Ogdensburgh. On its face, this is a curious circumstance; but Mr. Letchworth, who was on the commission, says that he did not know the politics of either Dr. Wise or Dr. Cleveland, and that it is hardly necessary for him to assure the readers of the Record that questions of politics, of commerce, or of the equal distribution of State patronage, had not the slightest influence upon his choice of Ogdensburgh; he had no wish but to promote the welfare of the insane and the economic interest of the State.

A course of training in midwifery is given in the Queen Charlotte Lying-In Hospital for a fee of £26 5s., including board and lodging. In the London hospitals generally the cost of training varies from £20 to £25 for the course. In the Brownlow Hill Infirmary, Liverpool, and the Royal Maternity Hospital, Edinburgh, it does not exceed £10. The Workhouse Infirmary Nursing Association gives to nurses who are already trained in general nursing midwifery training *gratis*, on condition that they bind themselves to the association for the three years following their training.

Dr. John A. Wright claims that the "open ward" system, which has been in continuous operation for two and a half years in the N. W. Ohio Hospital for the Insane, at Toledo, is a complete success. Two thirds of the whole number of inmates (the average number of patients in 1886 was 122) participate in the great degree of liberty implied in its establishment. Under its influence, the violent paroxysms to which many of the insane are subject are greatly diminished in force and frequency, their comfort and contentment promoted, their restoration to normal health of mind and body obviously fostered, and, manifestly from an appreciation of the extent of freedom afforded, even the tendency to escape greatly lessened.

The number of persons of unsound mind in England and Wales January 1, 1886, as reported to the Commissioners in Lunacy, was 80,156, exclusive of 248 chancery lunatics, residing with their committees, and 81 insane convicts—a gross increase during the year of only 452 patients. The number of registered lunatics in Scotland on the same date, apart from 62 persons in the lunatic department of the general prison at Perth, and 230 imbeciles in training-schools, who are registered separately, was 10,895—an increase for the year of 268. The total number in Ireland was 14,415—an increase of 136. This gives an aggregate of 105,466 insane (including some idiots with them) in public and private institutions for lunatics or establishments for paupers, or boarded out, and subject to governmental inspection; and the total increase in twelve months was 856.

According to the last report of the Charity Organization Society of the District of Columbia, the benevolent institutions and associations of Washington (not including the district government or the churches) provide shelter for 4,526 men, women, and children, and treat 8,741 in their homes. (But this statement, we presume, includes the Government Hospital for the Insane, the great majority of whose patients are non-residents of the district.) The total disbursements of this Society for twenty months were only $1,322.61. Nothing whatever was given directly in the form of relief. More than 300 cases a year are investigated, about one quarter of whom are referred to proper churches, charities, or individuals for such assistance as they require; another fourth are offered work; one third are found to be frauds. The statistical report printed does not show what becomes of the remainder.

It is proposed to purchase coal lands near the site of the Colorado penitentiary and employ a part of the convicts in mining. The chief source of income at present is the sale of lime. The surplus labor of the prison is to be utilized in the construction of ditches for irrigation, which will reclaim large tracts of fine agricultural lands now worthless. On account of the decision of the Supreme Court in the Lowrie case, 106 convicts were discharged on *habeas corpus*. The annual death-rate, for the past two years, has been 1.4 per 1,000, which is believed to be lower than any other prison in the United States. A school for prisoners has been organized, under Mr. E. E. Dudley, a graduate of Brown University, and the chaplain, Rev. E. C. Brooks, holds a Chatauqua circle of thirty-five members every Monday evening. The warden believes in a humane and reformatory discipline: the first necessity of the prison is, he believes, a gradual system of classification of prisoners.

In an official report on the county jail at Carlisle, Pennsylvania, by Dr. Sibbet, an inspector appointed by the State Board of Health, he says: "Every thing about it is made wrong from the foundation to the roof. One half of the cells face the other half, and all of them open into a large corridor or hall. Men and women, boys and girls, old criminals and youthful ones, can hear and see what the worst of men and women say and do. They can converse with each other at all hours of the day and night; they can tease and provoke each other. As a result, the most profane and vulgar language is used in the hearing of all. When the male prisoners are out for exercise, they can go to the cells of the females; and when the females take exercise, they can go to the cells of the male prisoners. To preserve order, both sexes are often kept in their cells for weeks; and sometimes the blind doors are closed against them, in which case there is almost no light in the cells, and no ventilation."

The Abbé Balestra, known as the Apostle of Speech for the Deaf, was a Swiss by birth, with Spanish blood in his veins, who made his home in Como, Italy, where he was professor of philosophy and physics in the diocesan seminary. An earnest Christian and a devotee of science, he was also a connoisseur in architecture and archæology. But his love for the deaf led him to abandon all other work in life and give himself to their exclusive service. It was he who introduced the pure oral method into Italy. His influence in favor of that system of instruction of the deaf was felt throughout Europe. His fame reached the New World, and he was summoned by the government of the Argentine Republic to South America, where he fell, exhausted by his labors, at the age of fifty-six years, in the prime of life, a martyr in the cause of Christian charity. The Abbé Tarra has said of him, that he was "as the lightning which cometh out of the east and shineth unto the west." His name is indelibly written upon the hearts of thousands of those who, in the day of judgment, will rise up and call him blessed.

An eminent English architect named Alexander was being examined by counsel, who was using every effort in his power to depreciate the witness' opinion.

"You are a builder, I believe?"

"No, sir; I am not a builder. I am an architect."

"Ah, well, builder or architect, architect or builder—they are pretty much the same, I suppose?"

"I beg your pardon; they are totally different."

"Oh, indeed. Perhaps you would state wherein this great difference consists?"

"An architect, sir, conceives the design, prepares the plan, draws up the specifications—in short, supplies the mind. The builder is merely the machine; the architect, the power that puts the machine together and sets it going."

"Oh, very well, Mr. Architect, that will do. A very ingenious distinction without a difference. Do you happen to know who was the architect of the Tower of Babel?"

"There was no architect, sir—hence the confusion."

The Connecticut Reform School, at Meriden, has a main building, 50 x 300 feet, of brick, including a central structure four stories high and two three-story wings. There are three cottages which accommodate 50 boys each. The number of boys who can be lodged in the main building is 375, which makes the total capacity of the institution 525. The number actually present, June 30, 1886, was 447. The superintendent, Mr. George E. Howe, desires to have the school organized on the cottage plan throughout, and the main building converted into an intermediate prison, with power vested in the trustees to transfer inmates from the cottages to this intermediate department, and thence, in case of necessity, to the State prison at Wethersfield. He claims that he succeeds in saving from 80 to 90 per cent. of the boys sent to this school. Boys between the ages of 7 and 16 years can be committed to it during minority, by any court of record in the State. Parents or guardians may secure the admission of their sons or wards, without process, by paying $3 per week, quarterly, in advance, for their board. No boy is dismissed on probation, who does not earn, by his conduct, the "badge of honor." The industries pursued are: shirt-making, tailoring, cane-seating, shoemaking, and farm and garden work.

Mr. Haywood Brahan, financial agent of the State penitentiaries of Texas, says: "A great many of our public men, and not a few newspapers, are advocating the policy of working our convicts on the public roads. If they were posted as to the proper management and control of convicts, they would see the utter impracticability of such a disposition of convict labor. The work would continually change from place to place, which would render it very expensive to erect suitable buildings in which to confine prisoners at night. The convicts being scattered all over the State, the cost of inspection, sustenance, etc., and the opportunities for escape would be greatly increased. It is a mistaken idea, that convict labor is cheap labor. When you take into consideration the expense of guarding, of food, clothing, medical attendance, etc., it is a very expensive labor, and the only argument in its favor is its certainty and reliability. The different counties could hire free labor to work their roads more cheaply than the State could afford to furnish them with convict labor. The only way to have public roads worked by convict labor would be to reduce the number of felonies, and to make such offences punishable by fine and imprisonment in the county jails, with a law authorizing the counties to work such prisoners on their county roads."

From the point of view of the librarian, some attention is due to the question of the proper size for pamphlets, especially for reports of institutions. The number of volumes of reports bound every year is considerable. Some of these volumes are made up of series of reports of a single institution: others are composed of all the reports of institutions of a given class published in a given year. The latter is possibly the more common method of preserving them, since it is difficult to obtain sets of reports of any one institution, and to put them away for a term of years, until they accumulate in sufficient numbers to admit of binding them. Now, the variation in the sizes of reports of different institutions is a serious mechanical difficulty in the way of binding them neatly. An examination of a large number of them shows that there is a standard size fixed by common consent and long-established usage, which is, $5\frac{7}{8}$ by 9 inches. Any departure from this standard is vexatious and a nuisance, which ought to be abated by law. The worst sinners in this regard are the States of Ohio and Michigan. The Ohio reports are $6\frac{1}{8}$ by $9\frac{1}{8}$ inches, and the Michigan reports are $6\frac{3}{4}$ by $9\frac{1}{4}$ inches. Other States which err almost as much in the opposite direction, are Georgia, $5\frac{1}{8}$ by $8\frac{5}{8}$; North Carolina, $5\frac{1}{8}$ by $8\frac{1}{8}$; Nebraska, $5\frac{7}{8}$ by $8\frac{1}{2}$; Dakata, $5\frac{1}{8}$ by 8; and Virginia, (Danville), $5\frac{3}{4}$ by $8\frac{3}{4}$. The reports of Minnesota, Maine, Vermont, and even of Maryland and Massachusetts are under the regulation size, though not in so marked a degree. It is better to be under than over the standard, because the margins do not have to be deeply cut, as when the opposite fault is found. But the reports of Kentucky, Kansas, and Nevada are over size. The worst of all is the Bloomingdale Asylum of New York, whose reports are $6\frac{3}{4}$ by $10\frac{3}{8}$ inches, and will not fit anywhere, do with them what you will. "Reform is necessary."